GREEN CITY KIGALI

GREEN CITY KIGALI: A NEW MODEL FOR URBAN DEVELOPMENT IN RWANDA

ANNEX 6 B: RESETTLEMENT ACTION PLAN (RAP)



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ACRONYMS AND ABBREVIATIONS

CoK	City of Kigali
DOSC	District Once Stop Centre
ESIA	Environmental and Social Impact assessment
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FGD	Focus Group Discussions
FONRERWA	Rwanda Green Fund
FRW	Rwandan Francs
GCK	Green City Kigali
GDP	Gross Domestic Product
GHG	Green House Gas
GIS	Geographical Information System
GoR	Government of Rwanda
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
LRC	Local Resettlement Committee
LRSP	Livelihoods Restoration and Strengthening Program
MINAGRI	Ministry of Agriculture and Animal Husbandry
MINALOC	Ministry of Local Government
MINECOFIN	Ministry of Finance
MININFRA	Ministry of Infrastructure
MMC	Multipartite Monitoring Committee
MoE	Ministry of Environment
NGO	Non-Governmental Organization
NST1	National Strategy for Transformation
PAH	Project affected Household
PAP	Project Affected Persons
PWD	People with disability
RAP	Resettlement Action Plan
RDB	Rwanda Development Board
RDHS	Rwanda Demographic and Health Survey
REMA	Rwanda Environmental Management Agency
RNRA	Rwanda Natural Resources Agency
RPF	Resettlement Policy Framework
RHA	Rwanda Housing Authority
RSSB	Rwanda Social Security Board
RWB	Rwanda Water Board
SEP	Stakeholder Engagement Plan
SPV	Special Purpose Vehicle
UADC	Architectural Design Consultant
VMC	Village Mediation Committee
WB	World Bank

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KEY DEFINITIONS

- **Affected Household**: All members of a household, residing under one roof and operating as a single economic unit that are adversely affected by the Project or any of its components. The household can include a single nuclear family or an extended family group.
- **Project Affected Persons/People**: (also Project Affected People or PAPs) - any person affected by Project-related activities which cause changes in use, or access to land, water, natural resources, or in some circumstances, can lead to loss of income and/or changes in livelihood.
- **Assets**: an asset could be land, structures, trees, crops, businesses and any combination of these assets.
- **Census**: It entails a socioeconomic survey within the defined project boundaries. A census provides complete count of the population affected by the project activity and includes demographic and socio-economic information. A census identifies and determines the number of Project Affected Persons (PAPs) and the nature and levels of the project impact on PAPs.
- **Compensation:** a payment in kind, cash or other assets given in exchange for the taking of land, or loss of other types of assets (including fixed assets) or loss of livelihood resulting from project activities.
- **Cut-off date**: This is the date when the census begins. The cut-off date refers to the date after which PAPs will NOT be considered eligible for compensation, i.e. they are not included in the list of PAPs as defined before the socio-economic survey of the PAPs ended. The cut-off date could also be established as the date when the project area was delineated. Beyond this date, any person who joins the project area afterwards and lays claim to land or assets affected by the project (not owned prior to the cut-off date) will not be eligible for compensation.
- **Economic displacement**: Loss of income or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, etc.) caused by the construction or operation of a project or its associated facilities/components.
- **Entitlement**: Range of measures (including compensation, income restoration, transfer assistance, income substitution, and relocation) aimed at compensating affected people and restoring their economic and social conditions.
- **Expropriation**: refers to an "act based on power of Government, public institutions and local administrative entities with legal personality to remove a person from his/her property in the public interest after fair compensation."
- **Land Acquisition:** refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.
- **Land:** includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.
- **Livelihood Restoration**: Compensatory measures provided under the Resettlement or Livelihood Restoration Policy Framework and which include measures to restore affected people's livelihood to at least the "prior to the project" level or improve it.
- **Physical displacement**: Loss of shelter/residential structure and assets resulting from land acquisition triggered by a project that requires the affected person(s) to move to another location.
- **Economic displacement**: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.
- **Relocation:** A process through which physically displaced households are provided with a one-time lump sum compensation payment for their existing residential structures and move from the Project Area.

- **Replacement cost**: is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement.
- **Transaction costs:** include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

EXECUTIVE SUMMARY

The Government of Rwanda has committed itself to shift towards green urbanisation1 focusing on nation-wide environmentally sustainable, climate resilient and green, economic growth. A number of national strategies, policies and guidelines were developed by the government to set priorities and directions on urban development to tackle challenges related to climate change, population growth and rapid urbanisation. The City of Kigali Masterplan aims at providing an urban development model for increased resilience against the consequences of climate change and a basis for sustainable urban development of Rwanda through the development of a model community at Kinyinya Hill. This objective will be achieved by integrating various solutions such as pilot developments that allow users to enjoy the social and economic benefits of urbanization while minimizing ecological footprint, as described below.

The Rwanda Green Fund (FONERWA) has secured funding from the German Development Cooperation through KfW Development Bank and the Green Climate Fund's Project Preparatory Facility, to prepare a feasibility study and to conduct an international design competition and tender process to select an Urban and Architectural Design Consultant (UADC). The UADC will undertake urban planning, infrastructure and architectural design services associated with the GCK Project. In addition, funding was provided to support establishment of a special purpose vehicle (SPV) named the Green City Kigali Company (GCKC) that will serve as the central entity for the implementation of a 16ha pilot project and 18ha Ngaruyinka Upgrade.

The hired consultant prepared a RAP, in order to inform the assessment regarding environmental and social risks and potential impacts as well as possible mitigation options of the planned Project.

The assessment findings revealed the following major basic data of the RAP of the Ngaruyinka Upgrade project:

Table 1: RAP major basic Data

S/N	DESCRIPTION	IMPACTS IN QUANTITY
1	Province	Kigali City
2	District	Gasabo
3	Number of residential Houses to be displaced	11
4	Number of commercial houses to be displaced	15
5	Number of Structures(Fences) to be partially affected along Ngaruyinka upgrade project	7
6	Total number of PAPs within Ngaruyinka upgrade project	1,625
7	Total number of vulnerable among the PAPs	441
8	Total Number of Project Affected Households (PAH) along Ngaruyinka project	411

[1] ERM High-level ESIA, 2021

S/N	DESCRIPTION	IMPACTS IN QUANTITY
9	Number of Project Affected Households (PAHs) to be physically displaced along Ngaruyinka	17
10	Number of Project Affected Households (PAHs) to be economically displaced.	394
11	Loss of land for Ngaruyinka upgrade project (in sqm)	82,384
12	Loss of Crops for Ngaruyinka upgrade project (in sqm)	9,907
13	Loss of trees for Ngaruyinka upgrade project (in numbers)	2,165
14	Number of public utilities to be affected along Ngaruyinka upgrade project	4
15	Number of institutions to be affected along Ngaruyinka upgrade project	0
16	Gender across Ngaruyinka upgrade project (All PAPs)	M: 67.6% ; F: 32.4 %
17	Estimated Expropriation cost excl. RAP implementation cost	**2,067,196,332**

GREEN CITY KIGALI

1 INTRODUCTION

As part of the activities to be carried out in the course of project cycle, the developer ought to prepare an ESIA as well as the RAP, in order to inform the assessment regarding environmental and social risks and potential impacts as well as possible mitigation options of the planned Project.
As part of the deliverables to be submitted to the client, this Resettlement Action Plan (RAP) is included. Thus, this report covers the component related to the preparation the Resettlement Action Plan (RAP) for the affected communities, businesses structures, buildings, trees and crops as well as any other asset and services within the project boundaries, to ensure that the planned activities are socially implemented in full compliance with Rwanda's laws and policies as well as World Bank Environmental and Social Standards.

1.1 Purpose of this Resettlement Action Plan (RAP)

As part of the deliverables, the consultant was expected to prepare the Resettlement Action Plan (RAP) for the affected communities, businesses structures buildings, trees and crops as well as any other asset and services in Ngaruyinka Upgrade project. The Resettlement Action Plan (RAP) will ensure that the planned activities are socially implemented in full compliance with Rwanda's laws and policies as well as World Bank Environmental and Social policies, and also ensure that the construction works do not impact the community and is implemented in an environmentally and socially sustainable manner in full compliance with Rwanda Law on Expropriation and Land ownership as well as to the World Bank's environmental and social policies. Specifically, the RAP has the following objectives:

- *To provide a baseline with regard to the socio-economic conditions of PAPs after field investigation;*
- *To identify the national and international legal framework to abide with as well as the institutional arrangements*
- *To assess the potential impacts and their mitigation mechanisms;*
- *To conduct public consultations with PAPs and other project Stakeholders;*
- *To provide the valuation and compensation strategies;*
- *To bring reports in the format and level so that these are meeting guidelines, policies and regulation of Government of Rwanda (GOR) and the World Bank Environmental and Social policies.*

1.2 Report format

This report has been prepared taking into consideration the legal requirements in the country. Apart from the Executive Summary, this report on Resettlement Action Plan (RAP) has following sections:

- **Chapter 1** provides in the introduction a general background, objectives and project description area
- **Chapter 2** covers the policy and strategies; legal instruments, institutional arrangement and international framework under which the project will be developed
- **Chapter 3** presents the stakeholder Engagement
- **Chapter 4 d**eals with the Socio-economic baseline covering the project affected persons and social conditions and serves as project socio-economic information;
- **Chapter 5** covers the anticipated project impacts;
- **Chapter 6** provides the compensation framework, determines the eligibility, valuation of and compensation strategies
- **Chapter 7** describes the livelihoods and community development;
- **Chapter 8** provides an overview of temporary hardship and vulnerability
- **Chapter 9** establishes the Grievance Management and Redress Mechanism
- **Chapter 10** entails RAP monitoring the evaluation
- **Chapter 11** draws on an organizational framework
- **Chapter 12** presents the budget and the implementation schedule for the RAP
- Lastly, **Chapter 13** draws conclusion and recommendations for the assignement

1.3 Approach and methodology

The Resettlement Action Plan (RAP) covers relocation and replacement (in kind, or cash) of the assets affected, the compensation and resettlement assistance required. The methodologies involved in developing this RAP, is based on data obtained from the socio-economic study, inventory, observation, consultation and valuation. The data were collected by environmental and social specialists, and valuers for preparation of RAP.

The philosophical underpinning of the plan preparation is the use of a participatory approach of major stakeholders including affected communities and PAPs. Among others, the methods and activities employed in the process of developing the RAP include:

1.3.1 Literature Review

Both primary and secondary data were collected for this Resettlement Action Plan. Secondary data were gathered through various desk review exercises, while primary data collection involved the design and preparation of a structured questionnaire for the household survey.

The literature review involved the identification of the applicable national legal and administrative frameworks and policies, and the World Bank Environmental and Social Standard (ESS5) on land acquisition, restrictions on land use and involuntary resettlement. The purpose of the review was to:

- Gather knowledge and experience on compensation and resettlement.
- Harmonize differences in resettlement and compensation guidelines between the GoR policy and the World Bank Environmental and Social Standards.

In this respect, among others, the following documents were reviewed: the Constitution of the Republic of Rwanda of 2003 revised in 2015, land law 2021, expropriation law 2015 and other relevant National Policies and strategies, including the vision 2050, NST1, gender policy, project description documents, Green City Kigali Mid-term Feasibility Study, etc. The review also covered the World Bank Environmental and Social Standard (ESS5) on land acquisition restrictions on land use and involuntary resettlement.

1.3.2 Socioeconomic survey and inventory Review

This RAP was developed after conducting socio-economic survey and inventory across Ngaruyinka. The purpose of the socio-economic study was to collect baseline data within the project targeted areas thereby enabling the social assessment of the potential affected populations/communities.

The socio-economic survey focused on identification of communities and PAPs (demographic data), livelihood, incomes and expenses, household facilities and land ownership. Also, the survey involved identification of the affected people and communities and their property (parcels, crops and trees, structures, etc.). The socio-economic survey involved the following activities:

- Identification of study population (PAPs) to whom the questionnaire was administered
- Setting up data collection tools and methods
- Scoping and identification of the Resettlement Impacts
- Conducting data analysis

Study population, Data Collection Method and Analysis

The Ngaruyinka Upgrade project and other associated activities will affect or benefit the population living in the project area. The identification of affected households was done through georeferencing with help of Trimble 3B GPS and GIS technology. In a bid to grasp the initial socioeconomic status of residents as well as their perception about the Ngaruyinka Upgrade project, all project affected persons (PAPs) were involved in providing information on their socio-economic status. In this regard, a questionnaire was administered to them following the procedures discussed below:

Data Collection Procedures

The field data collection was carried out by experienced field engineers/enumerators facilitated by the team leader and local authorities. The administration of the questionnaire was done using an electronic toll known as KOBOCOLLECT (ODK) program.

Questionnaire Coding in Kobo Online Platform

After the questionnaire development, the next step will be programming of the questionnaire into Kobo collect on the kobo online platform.

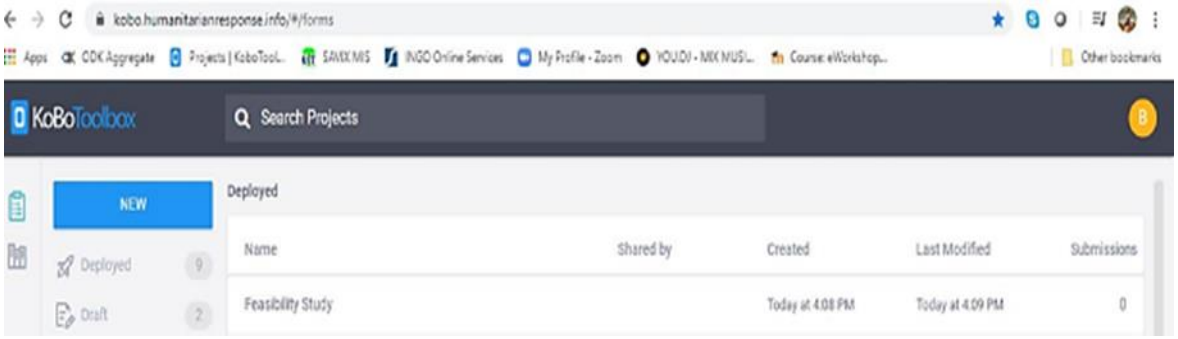

Figure 1: Kobo Collect Interface in Smart Phone (Main Page)

Questionnaire Upload and Testing in Kobo Collect App

After adding and programming the questionnaire from the kobo online platform, the questionnaire was uploaded into the smart phone application for the end user (enumerators) following the illustration below.

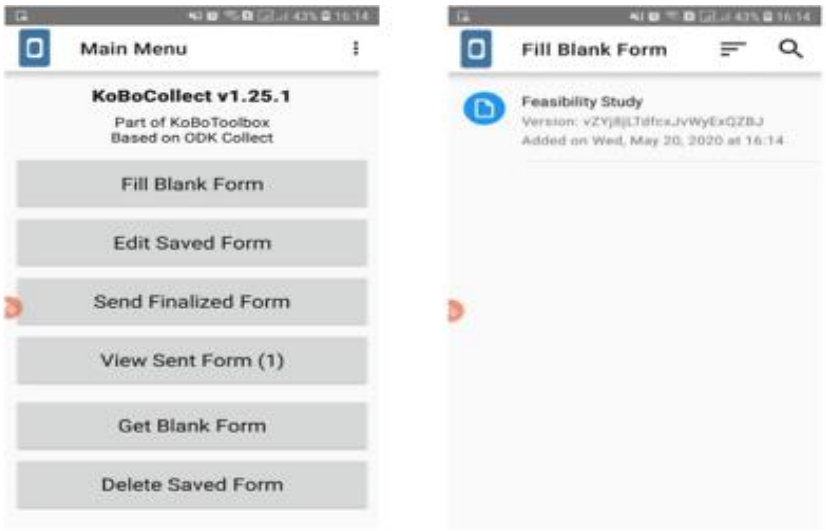

Figure 2: Kobo online platform).

1.3.3 Public Consultation

Public consultation and participation are essential because they enable potential displaced persons the opportunity to contribute to both the design and implementation of project activities. Public consultative process involved identification of relevant stakeholders, notification and involvement. This section provides a description of the stakeholder involvement process conducted for the RAP for the proposed irrigation development and watershed management project.

Public consultation was a major drive of this social safeguard assignment. Public consultation was used amongst other things to identify the population affected by the project. It also served the purpose of creating and enabling environment for PAPs and stakeholder participation and inclusion in project implementation.

As part of the preparation of this RAP the principal outcome of the public consultation process was:

- Communication of the planned project and its objectives to the concerned communities, PAPs and stakeholders
- The identification of the likelihood and nature of impacts
- Identification of ownership of land for the project area
- Perception of the community regarding the planned intervention
- Expression of concerns of the affected community; and
- Community commitment and responsibilities towards project successful implementation

Consultation with affected households and other stakeholders is ongoing and will continue throughout the entire period of the resettlement program implementation. In this context, consultation meetings were conducted at grass route level with PAPs together local officials as well as community opinion leaders such as church leaders, cooperative leaders, representatives of women, youth and PWD.

Scoping and identification of the Resettlement Impacts

At the initiation of the project the Consultant undertook a field visit in November 2021 so as to map the project area. The field visit was also used to identify plausible PAPs as well as their assets and properties to be affected by the project in the project area.

At this in-depth study the baseline level, Global Positioning System (GPS) data for the optimized transmission line route was collected and reviewed with the aim of understanding the household and community character of the PAPs. The consultant used the survey maps and GPS to identify the proposed project area and People Affected by the Project.

1.3.4 Data Analysis and Report writing

At the end of data collection, collected quantitative data for socioeconomic survey was entered and analysed with the support of the Statistical Package for Social Scientists (SPSS), version 21. Likewise, collected data for lands, swamps and crops were treated with the support of the Geographical Information System (GIS).

A summary report was also written entailing a brief presentation of issues raised as well as key strategies discussed along public consultation meetings with local residents.

1.3.5 Quality Assurance Mechanisms and Ethical Standards

Conducting any study requires a set of measures to ensure data reliability and validity. While the two terms are essential criteria for quality in quantitative dominated research, in qualitative paradigms these terms may be represented by credibility, neutrality or conformability, or consistency to be the essential criteria for quality.

The training of the enumerators was conducted with aim to increase enumerators' job satisfaction and enhance the performance and productivity. The point is that each enumerator has to understand each question properly and know the type of answer to be expected from that question. Training was conducted by the Socio-economist/surveyors Team Leader in close collaboration with the project team. At least three days of extensive training was organized to ensure that field teams fully understand the requirements of evaluation and tools of data collection. To equip enumerators with practical skills and familiarize them with the questionnaire, the trainer used "the fill in questionnaire" technique where one enumerator conducted the interview while the other acted as the respondent (mock interview).

From an ethical perspective, members of the field team are required to adhere to the highest ethical standards of research. To comply, the field team will observe a set of measures during the whole process of this study:

- An official permission introductory letter was issued by FONERWA and was needed for administrative purposes
- Participation consent was requested before interviewing respondent or engaging in discussions. The questionnaire or guides was introduced by a consent form

- Confidentiality was guaranteed regarding any information given to be disclosed

1.4 Project Background

The Government of Rwanda has committed itself to shift towards green urbanisation2 focusing on nation-wide environmentally sustainable, climate resilient and green, economic growth. A number of national strategies, policies and guidelines were developed by the government to set priorities and directions on urban development to tackle challenges related to climate change, population growth and rapid urbanisation. The City of Kigali Masterplan aims at providing an urban development model for increased resilience against the consequences of climate change and a basis for sustainable urban development of Rwanda through the development of a model community at Kinyinya Hill. This objective will be achieved by integrating various solutions such as pilot developments that allow users to enjoy the social and economic benefits of urbanization while minimizing ecological footprint, as described below.

The Rwanda Green Fund (FONERWA) has secured funding from the German Development Cooperation through KfW Development Bank and the Green Climate Fund's Project Preparatory Facility, to prepare a feasibility study and to conduct an international design competition and tender process to select an Urban and Architectural Design Consultant (UADC). The UADC will undertake urban planning, infrastructure and architectural design services associated with the GCK Project. In addition, funding was provided to support establishment of a special purpose vehicle (SPV) named the Green City Kigali Company (GCKC) that will serve as the central entity for the implementation of a 16ha pilot project and 18ha Ngaruyinka Upgrade.

1.4.1 Green City Kigali

Ngaruyinka Upgrade Project is one of the components of Green City Kigali Project under design and development. GCK project was proposed as Rwanda seeks to increase the prosperity of its people while safeguarding its natural environment and strengthening communities socially and culturally. As is the case in much of sub-Sharan Africa, Rwanda's cities are predicted to grow substantially in line with the country's growing economic prosperity. It is recognised by leaders in Rwanda that a model for sustainable urban growth is required to manage the process of urbanisation in line with its vision for green economic growth.

Kinyinya Hill, located in the north-eastern area of Kigali (in Murama Sector, Gasabo District), has been identified as the subject area for Green City Kigali (GCK), a project which will act as a model for climate-responsive and affordable urbanisation which can be upscaled and applied to multiple situations in Kigali and Rwanda's secondary cities. The GCK project forms part of a broader strategy for achieving sustainable, climate responsive urban growth in the country, including the development of a national spatial masterplan together with an updated masterplan for the capital Kigali.

[2] ERM High-level ESIA, 2021



Picture 1: View of Kinyinya Hill

The ambition for Green City Kigali is therefore to become a transformative project which will help drive systemic and sustainable change that will have a significant impact on the pattern of urban development within Kigali and throughout the country. It will contribute to the delivery of the UN 2030 Sustainable Development Goals and the New Urban Agenda together with the country's climate change and affordable housing commitments.

1.4.2 GCK Urban Planning Objectives

The objectives which GCK project aims to deliver on and thus provides context for the approach taken for the Ngaruyinka upgrade are as follows:

I. **Provide housing that is affordable for all**: Housing options will be provided for all income groups that will begin to address the shortage of affordable housing in Kigali, combining innovative purchase options together with low construction costs. Existing settlements will be upgraded, and densities increased.
II. **Help to build a strong sense of community and ownership**: Green City Kigali will comprise a series of neighbourhoods and districts each with its own distinctive character together with a high-quality public realm that will encourage social interaction. In addition, buildings and neighbourhoods will be sensitively designed considering Rwandan culture to provide a sense of safety, home and comfort.
III. **Support the development of a vibrant local economy**: Green City Kigali will feature a mix of uses and facilities enabling residents to live and work within the city, maximising the opportunities for start-ups and small to medium sized enterprises.
IV. **Be well-connected and pedestrian friendly**: Green City Kigali will connect with the local transport network while reducing the need for and impact of motorised vehicles. Compact, mixed-use planning where the higher densities are oriented toward public transport corridors will help create walkable neighbourhoods which enhance the viability of regular and quality public transport, while pedestrians and cyclists will enjoy a network of shaded routes throughout the city.
V. **Utilise local labour, skills and materials**: The construction of Green City Kigali will be used as an opportunity to build knowledge and capacity by training a skilled workforce, utilising local labour and local materials wherever possible; thereby maximising the benefit to the local economy while minimising environmental impact.
VI. **Adopt passive design strategies together with the use of natural systems**: The design of the city will maximise the use of passive design strategies and create a pathway to a net-zero future, working within the site's natural capacity while maximising the use of natural systems such as sustainable urban drainage, rainwater harvesting, sewerage treatment, waste recycling, energy production etc.

VII. **Work with nature in all its forms**: The layout of the city will work with the natural topography of the site, safeguarding its natural water resources while protecting and enhancing its ecosystem and biodiversity.

VIII. **Be resilient and climate change ready**: Green City Kigali will adopt a range of strategies to mitigate climate change effects such as increased temperatures and water scarcity.

IX. **Adopt a SMART city concept**: The city will make use of ICT and SMART City technology to enhance the convenience and safety of residents while supporting the development of a knowledge-based economy and supporting services.

X. **Complete at every stage**: At each stage in its development, Green City Kigali should be complete within itself and should not be reliant on future phases.

XI. **Provide a catalyst for change in Kigali and beyond**: Green City Kigali will create an exemplar by setting new standards in the provision of affordable homes and sustainable communities in Rwanda and the wider region.

1.4.3 Ngaruyinka study area

Upgrade of Ngaruyinka is one of the two projects that were identified to be taken forward in the first phase of the implementation process for GCK. They are located close to each other, in the north-eastern corner of Kinyinya Hill creating opportunities for shared infrastructure and enabling works. Both projects are founded on the four pillars of sustainable development will deliver on the overall objectives of the GCK project.

- A 16ha pilot new-build housing area along with associated commercial and community facilities on a greenfield site.
- An 18ha urban upgrade of an existing informal settlement (Ngaruyinka).

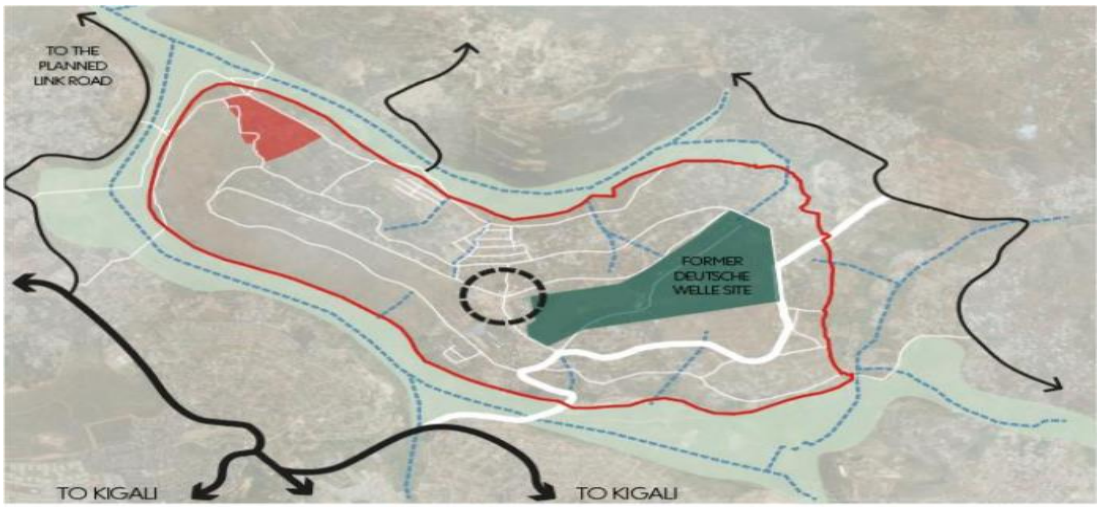

Figure 3: Ngaruyinka study area in the context of Kinyinya Hill and Green City Kigali (GCK)

In this context, the Ngaruyinka project was selected in the objective to provide a model for climate responsive upgrading of informal settlement in line with the Solution Tree Analysis in Figure below. The objective is to create a model approach which can be upscaled and applied to multiple situations across Rwanda to maximize positive climate impacts in line with the GCK approach.

1.4.4 Vision for the upgrade of Ngaruyinka

The overall vision for the upgrade of Ngaruyinka is:

> *'A scalable model for sustainable informal settlement upgrading in Rwanda which through holistic, strategic and innovative urban planning reduces capital costs whilst increasing the climate-responsive return on investment'.*

A climate responsive approach

The climate responsive urban planning approach for Ngaruyinka combines three interrelated urban planning principles in a dynamic way to reduce capital investment cost while increasing resilience of the area to climate change, enhancing quality of life and controlling its carbon footprint in terms of the entire life-cycle of the settlement:

Circularity: The efficient use, preservation and replenishment of resources through strategic planning of synergies between urban systems such as energy, waste, water, materials, transportation and biodiversity.

Urban livability: The gradual increase in quality of life for residents through reducing inequalities, supporting strong communities, and increasing access to a cycle of local wealth creation.

Ecosystem Services: The protection, replenishment and sustainable use of the biosphere to sustain human life in a way that contributes to circularity and urban livability.



Figure 4: Climate responsive approach

1.4.5 Ngaruyinka Urban Planning Principles

In order to achieve a climate responsive upgrade for Ngaruyinka, the recommendations in this Study will therefore seek specifically to:

i. Maximise the resilience of the settlement to increased weather events especially storms, floods, erosion, landslides and increasing ambient temperatures.
ii. Control and seek to reduce the embodied carbon footprint of the settlement.
iii. Control and seek to reduce the carbon footprint of the settlement in terms of its whole life cycle.
iv. Control and seek to reduce demands for key resources including energy and water.
v. Improve access to community services for all residents regardless of gender, age, or ability.
vi. Improve public health and sanitation for all residents regardless of gender, age, or ability.
vii. Create opportunities for local jobs and training related to the implementation and maintenance of recommended technologies and construction components.
viii. Achieve all the above while allowing for urban densification in line with the Green City Kigali model for sustainable urban development in Kinyinya.
ix. Achieve all the above while minimising and making the most effective and efficient use of capital investments.

1.5 Project components

The Project will upgrade an existing informal settlement (Ngaruyinka on Kinyinya hill) with low emission infrastructure that is resilient to climate change and support the use of renewable energy in the planned GCK pilot development. The informal settlement extends over 18ha on Kinyinya Hill, and the pilot is located nearby and extends over 16ha. The objective is to create a climate responsive model which can be scaled up and applied

to multiple situations across Rwanda and the region. In order to promote the scale up and replication, the project will include activities to build awareness and develop institutional capacity.
The project comprises two components (aligned with the Project Results in the Theory of Change) identified through a participatory process: 1) climate responsive investments to upgrade an informal settlement, provide critical transport links, and support renewable energy investments in a nearby pilot project and 2) increased awareness and capacity for inclusive climate responsive upgrades and enabling environment for climate resilient, low emission investment.
GCK proposes an approach to local economic development where local community, government and private sector work together. It is unique in requiring a financially reproducible model suitable for developing countries as a key part of its social, economic and environmental sustainability aims.
The upgrading of the site will serve as a model for community-based resilience strengthening that can be scaled-up to other parts of Kigali and secondary cities in Rwanda. The design was guided by the National Upgrading Policy and Strategy and aims to increase resilience to climate change while also minimising resettlement, land acquisition and social disruption. Low-cost interventions were prioritised in order to increase the scope for scale up and replication.

The Project will adopt a 'spatial' focus to facilitate the integration of sectors, stakeholders and scale levels to reach sustainable and climate compatible urban development solutions. The design is informed by the programme of work undertaken over 26 months including: 1) a series of sector analyses 2) a feasibility study and a Land Development Plan for upgrading Ngaruyinka 3) a series of environmental and social safeguards documents and frameworks to guide the development of the larger 600ha green city planning area.



Figure 5: Green / climate responsive right of way network

Component 1: Climate responsive investments to upgrade an informal settlement pilot
This component will provide the necessary investments to upgrade the infrastructure and community buildings in Ngaruyinka and provide critical transport links so that they can withstand current and future climate risks, primarily flooding, landslides and heat stress. It will also support vulnerable households to adopt low emission, climate resilient technologies such as improved cookstoves and energy efficient lighting, and it will support renewable energy in the nearby 16ha GCK pilot project. The planning and design work for this component actively involved local communities and all stakeholders over a period of more than one year (see Feasibility study and LDP for more details). This component will also include integrated capacity building efforts and other measures to promote the long-term sustainability of the climate responsive investments and approaches piloted. A team of technical specialists will provide coordination, guidance and oversight of service

providers on all technical aspects of Component 1. There will be consultation and continued dialogue with national and district-level administrative bodies and regular site visits and inspections of works.

Sub-component 1- Transport and mobility

This activity will address the poor quality of rights of way and access due to high levels of run-off and erosion which present significant slip and flood hazard and a constant need for repairs. The project will invest in a Green Rights of Way network using green construction methods and materials. The aim is to increase walkability, cycling and public transport over car use. The project also includes critical links to key locations near the settlement in order to encourage sustainable means of transport. As shown in maps in the LDP, the project includes a cycling and walking link to the nearest commercial area and improved road connections along the ridge road and along the bottom of the hill, which will encourage bus access to the settlement and connect it to the future GCK pilot site. Activities will involve preparing the technical design specifications and detailed design documents as well as the preparation of tender documents, procurement and delivery.

All transport and mobility investments will be reviewed and evaluated on installation and one year post installation to determine if they are operating effectively and benefits are distributed equitably particularly to the most vulnerable.

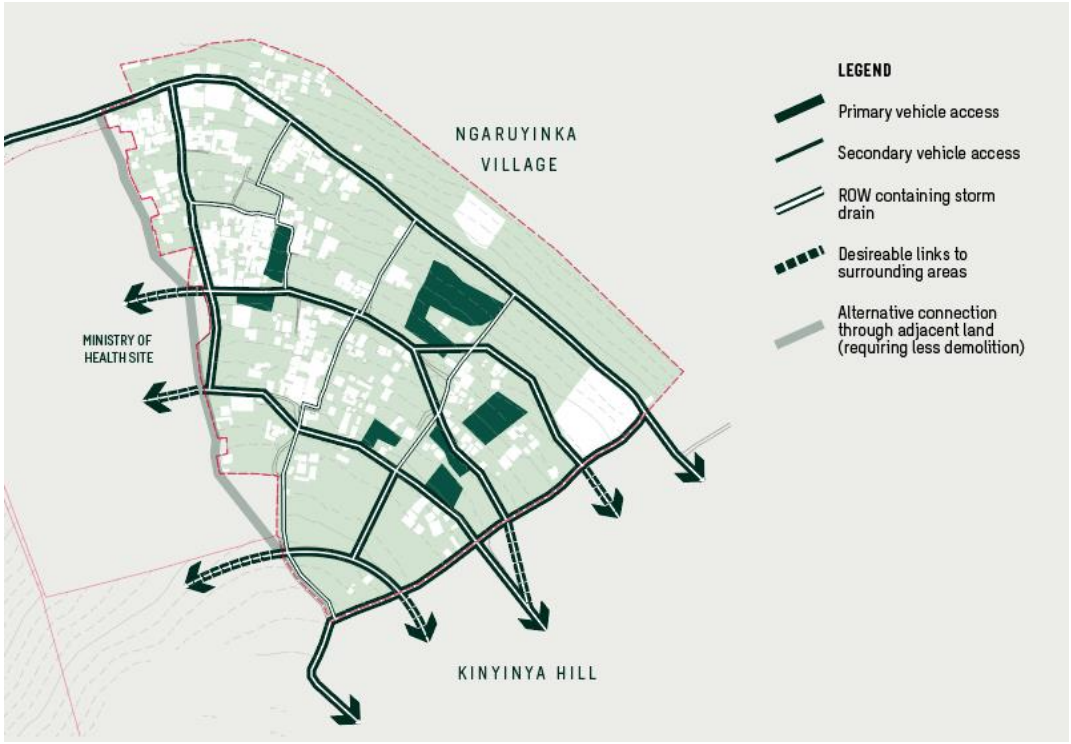

Figure 6: Green / climate responsive right of way network

Sub-component 2- Stormwater management

The project will include investments to improve rainwater infiltration to prevent high runoff speeds and improve stormwater management. Improved stormwater management in the settlement is critical for helping the community adapt to increased rainfall events expected due to climate change. A thorough storm water intervention will solve one of the biggest problems of the settlement, the erosion problem. A nature-based solution based on strategic use of green ditches and vegetation is sought first, which will reduce both cost and carbon and maximise the many ecosystem services that are reaped as co-benefits. The stormwater management solution also forms part of the circular model for the community. It will also be protected as a resource for household water use, by rainwater harvesting systems (see activity below), replenishing the natural groundwater and watering the plants and trees of the settlement. It contributes to urban cooling and habitat biodiversity as well as potential job creation and value chains. The stormwater management approach is explained through the plan and the strategies below. A variety of measures will be used to prevent, control,

and clean storm-water runoff to reduce flooding, erosion and sedimentation and to replenish groundwater. Interventions include establishing a green, permeable network of swales, gullies and detention-filtration-percolation areas to prevent erosion by absorbing rainfall energy, reducing overland flow velocity, increasing infiltration, retaining soil moisture, and binding soil particles together. Paved areas will be minimised to increase infiltration. Stormwater facilities (such as swales) will be constructed to treat, infiltrate, and distribute water. The Feasibility Study (Annex 2) and Land Development Plan (Annex 23) contain more information regarding the stormwater management and erosion control plan.

The activities include preparing technical design specifications and detailed design documents, tendering works to contractors and construction supervision. The effectiveness and impact of the stormwater management measures will be reviewed and evaluated one year after the measures have been installed.

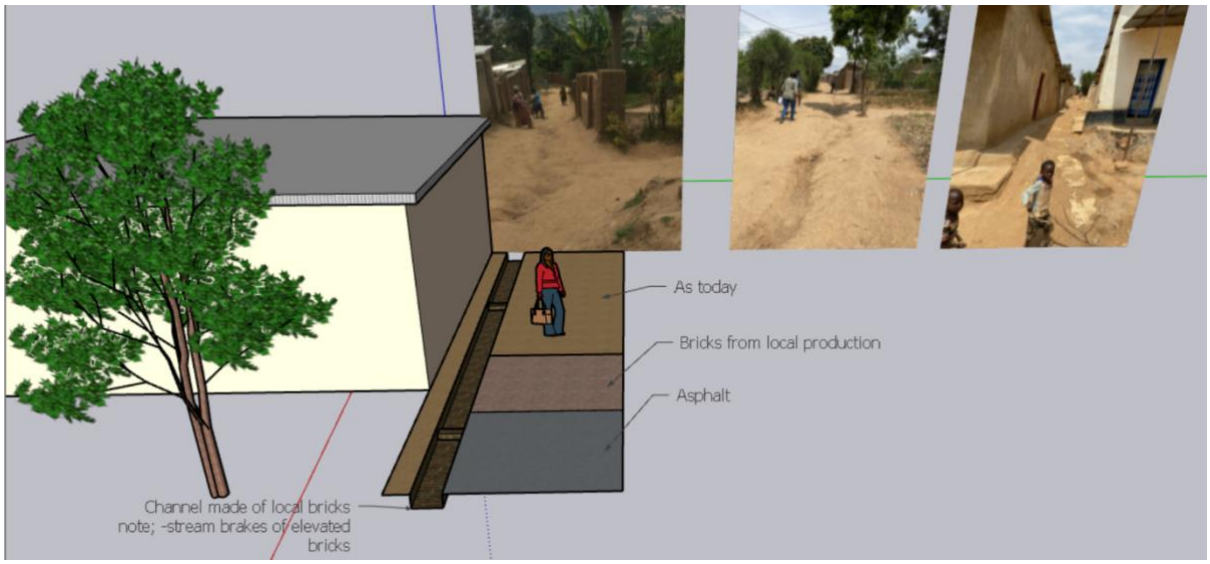

Figure 7: Proposed stormwater management

Sub-component 3- Water supply

This activity will address water shortages that occur in the settlement and are expected to worsen due to climate change. The activity will enhance water security and build climate resilience through improved water access. Three interventions are planned: 1) the expansion of the central water supply in the settlement; 2) rainwater harvesting on suitable households (depending on the layout) and community buildings; and 3) point of use household water treatment technologies. Activities will involve preparing the technical design specifications and detailed design documents as well as the preparation of tender documents, procurement and delivery.

The expansion of the central water supply system is critical for increasing year-round access to an improved water supply for the settlement. Many residents, mainly women and children, walk to collect water from unsafe surface water sources. Children are especially vulnerable to water borne diseases from these sources. Central water supply improvements will be undertaken in collaboration with the water utility, WASAC.

In addition, the project will provide technical assistance and awareness raising for household water treatment options, which can reduce reliance on charcoal and wood typically used to boil water to make it safe for drinking.

All water supply investments will be reviewed and evaluated on installation and one year post installation to determine if they are operating effectively and the benefits are distributed equitably particularly to the most vulnerable and water insecure households.

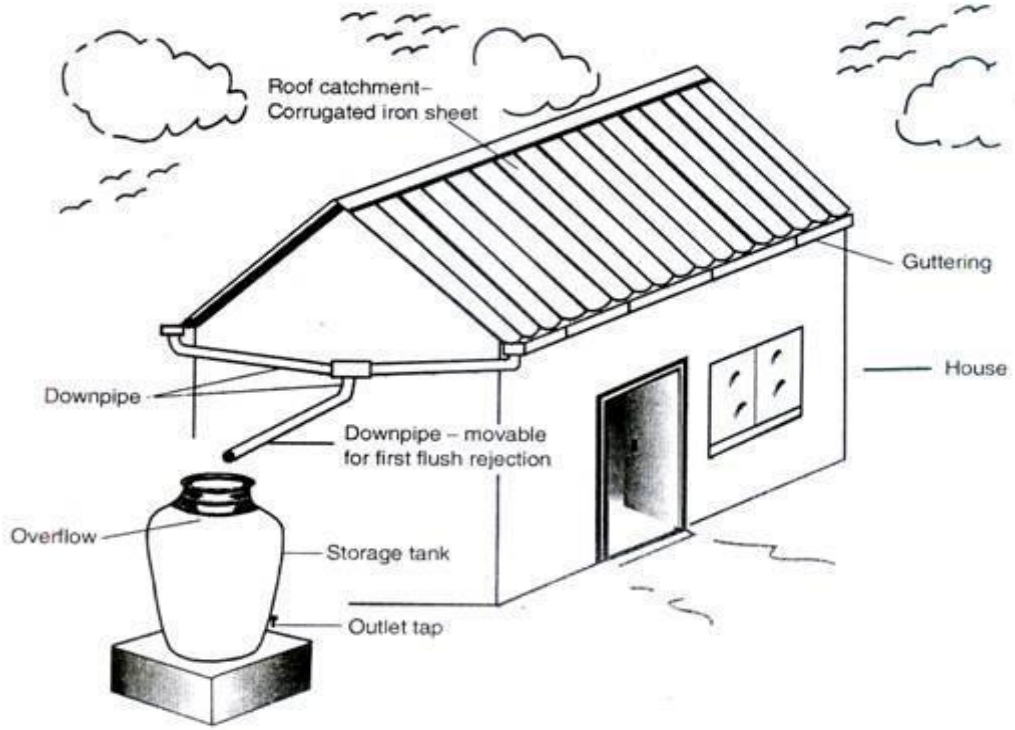

Figure 8: Illustration of a rainwater harvesting system.

Sub-component 4- Sanitation

This activity will address the poor level of sanitationi 3in the settlement which disproportionately impacts on the poorest households and is unsustainable as no further land is available to dig new latrines. In the context of increasing water scarcity, extreme weather events and a rising urban population, the potential for leaching and contamination of water sources from latrines with consequent public health risks is high. Moreover, diarrheal disease can have a significant impact on household resilience due to its impact on ability to work, attend school and the diversion of household resources into treatments.

The project will invest in toilets at the TVET and market area that will be connected to a biogas recovery system. The biogas produced will be used for cooking at the TVET and will offset the need to use charcoal or wood. Activities will involve preparing the detailed design documents as well as the preparation of tender documents, procurement, delivery and construction supervision.

The project will also provide technical assistance for latrine improvements, greywater management interventions and hygiene education. There will be comprehensive consultation with households to ensure that the technology and location of sanitation infrastructure is culturally acceptable.

All sanitation investments will be reviewed and evaluated on installation and one year post installation to determine if they are operating effectively and benefits are distributed equitably particularly to the most vulnerable.

[3] a system for the collection, transport, treatment and disposal or reuse of human excreta and associated hygiene

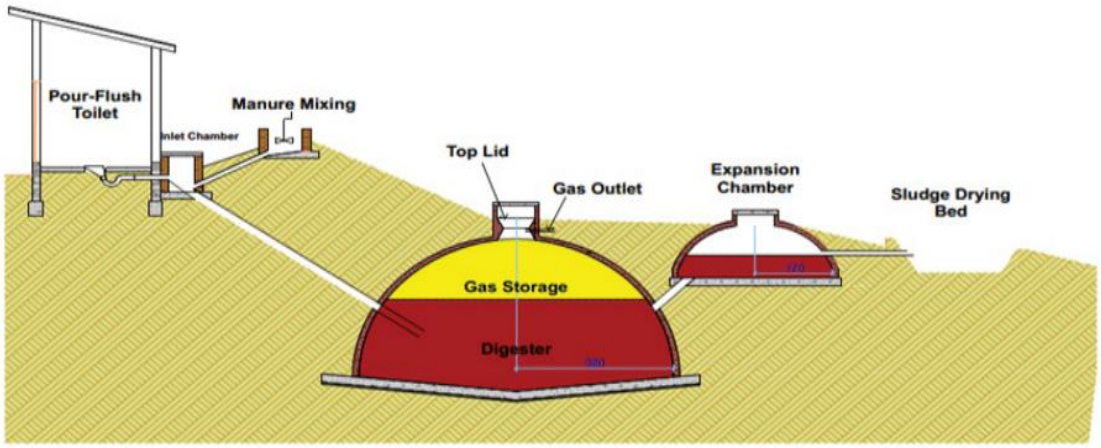

Figure 9: Design schematic for biogas system.

Sub-component 5- Energy

This activity will address key barriers to the uptake of low emission technologies at the household level particularly the affordability and low awareness. The project will invest in a range of low emission technologies including solar PV, solar hot water heaters, and education about improved cookstoves, energy efficient lighting and appliances.

The project plans to support the GCK pilot project towards reaching net zero carbon in the future. To do this, the project plans to support the installation of a solar PV mini-grid to serve the GCK pilot households and community buildings. Users would pay a tariff that covers the cost of the operation and maintenance of the PV system. To make the system more cost-effective both in terms of capital investment as well as maintenance costs, battery storage will be avoided. Instead, the pilot development will also be connected to the central grid, to cover any shortages from the PV system as well as to cover night energy use. Solar hot water heaters are also planned for the new homes in the pilot. The renewable energy interventions will serve as an example for other developments and encourage the scale up of such technologies in Rwanda.

In addition, the project plans to provide education and technical assistance related to the use of improve cookstoves, which can greatly reduce carbon emissions and improve use health, especially for women and girls. The project will also provide technical assistance related to energy efficient lighting and applications. The project will provide technical assistance to households regarding available micro-financing options to increase access to micro-finance programs targeting home-improvement, along with technical assistance to help homeowners decide which home-improvements to invest in.

Sub-component 6- Solid waste management

This activity will address the growing problem associated with the poor management of solid waste which contributes to GHG emissions, pollution and public health impacts, low recovery of expensive and scarce resources, and blockage of drainage channels. There are substantial co-benefits of waste management in the context of climate change. The prevention and recovery of wastes (i.e. as secondary materials or energy) avoids emissions in other sectors of the economy. The climate benefits of waste practices result from avoided landfill emissions, reduced raw material extraction and manufacturing, recovered materials and energy replacing virgin materials and fossil-fuel energy sources, and carbon bound in soil through compost application. In addition, there is general global consensus that the climate benefits of waste avoidance and recycling far outweigh the benefits from any waste treatment technology, even where energy is recovered during the process.

The project will invest in community composting, neighbourhood collection points and recycling centres to demonstrate the positive impact that these interventions can have in terms of mitigating the above adverse effects of poor management of solid waste, generating employment and increased amenity value. Behaviour changes and public participation is key to a functional waste system. The project will support the development of incentives and awareness systems to motivate waste reduction, source-separation and reuse. Activities will

involve preparing the detailed design documents as well as the preparation of tender documents, procurement, delivery and construction supervision.
All solid waste management investments will be reviewed and evaluated on installation and one year post installation to determine if they are operating effectively and benefits are distributed equitably particularly to the most vulnerable.

Sub-component 7- Community buildings
The project will construct a Technical and Vocational Education and Training (TVET) Centre, rehabilitate the existing market and develop community spaces. Activities will involve preparing the detailed design documents as well as the preparation of tender documents, procurement and delivery.
TVET Centres respond to the needs to different types of industries and also to the needs of learners from different backgrounds, with the goal of building the skilled and entrepreneurial workforce needed in Rwanda. The Government of Rwanda has a target that 60% of all high school students will go to TVETs by 2024. Currently, approximately 31% of students go on to TVETs, so there is a strong focus on trying to increase access to TVETs. At the project site, the TVET is an important component to leverage investments in the upgrade to enable scaling up of the upgrade components for further implementation and to therefore reach many more beneficiaries in terms of improved living conditions for more citizens, greater environmental impact, and job and value chain creation. The TVET will offer a curriculum that provides training for the design and implementation of the solutions and technologies recommended for Ngaruyinka (such as laying stone setts and do-no, improving soil drainage, forming gabion baskets and building and maintaining rain gardens and swales). These approaches will be integrated into existing curriculums and will go through a process to obtain accreditation.
All investments in community buildings will be reviewed and evaluated on installation and one year post installation to determine if they are operating effectively and benefits are distributed equitably particularly to the most vulnerable.

Component 2: Increased capacity for inclusive climate responsive upgrades and enabling environment for climate resilient, low emission investment
This component will include integrated capacity building efforts and other measures to promote the scale up and replication of the climate responsive investments and approaches piloted in component 1. It addresses the low awareness and gaps in capacity that currently constrain the potential for scale up and replication.

Activity 2.1.1 Institutional capacity development of GoR agencies
This activity will strengthen the institutional capacity among GoR agencies to facilitate and oversee climate resilient low emission development of urban infrastructure and buildings. In particular, it will strengthen capacity in urban planning, building on earlier investments by UN Habitat and others.
The project will identify needs, develop and deliver a capacity building programme on climate resilient infrastructure programming for GoR staff from relevant GoR agencies, such as the City of Kigali, Ministry of Infrastructure, Ministry of Environment and Rwanda Housing Authority. Activities will include: identifying and selecting participants in consultation with the relevant GoR agencies; conducting a capacity needs assessment; developing a capacity building programme; developing training content and materials along with a training and development calendar. The project will also establish and implement an evaluation process.

Activity 2.1.2 Blueprinting the GCK and Planning code for GoR
The project will document the development of the GCK. A design template, ToRs, and project(s) manual will be developed to utilize the sustainable design information developed during the detail design of the 16ha mixed use, sustainable and affordable housing project to create a design template for future developers to utilize to promote the scale up and replication of the GCK pilot and thereby the scale up and replication of sustainable and affordable housing projects that promote climate mitigative and adaptive principals, resource efficiency, local materials and labour – reducing the planning and design costs of future green city developments.

Activity 2.1.3 Development of recycling value chains

The project will support consumer awareness, and the collection and sorting of solid waste materials to promote recycling and circularity. The project will also seek to identify partners active in the recyclables value chain and work to enhance market opportunities for recycled materials through market facilitation.

The activities will include supporting the development of recycling groups and recycling value chains; conducting a capacity needs assessment and developing a support programme for the recycling groups, as well as facilitating linkages between recycling groups and markets and intermediaries and developing the capacity of the association to engage with stakeholders and partners and contribute expertise to policy, legislation and standard setting.

Activity 2.2.1: Technical support for an enabling environment and mainstreaming green city development standards and approaches into regulatory and planning frameworks

The project will provide support for an enabling environment through regulatory reforms eg Green City Standards and improved inter-agency coordination. There will also be provision for the integration and mainstreaming of climate responsive approaches into the regulatory framework related to urban planning and green city development.

Activities will comprise: the development of ToRs for an analysis of regulatory frameworks and the development of mainstreaming solutions; the development and implementation of a mainstreaming programme; capacity development of REMA to work with MININFRA, its line agencies and other relevant government entities to mainstream standards and approaches. Strategies and plans with a particular focus include and in line with the Green Growth and Climate Resilience National Strategy for Climate Change and Low Carbon Development; the National Informal Urban Settlement Upgrading Strategy, The National Land Use and Development Master Plan, City of Kigali Masterplan, as well as relevant land use, zoning and building regulations and guidelines (including forthcoming RHA affordable housing standards).

Activity 2.2.2: Knowledge management system developed on climate responsive regeneration

This will serve as a platform to: 1) store, manage and disseminate knowledge and information on climate responsive building methods and materials, urban planning etc.; 2) showcase successful approaches; and 3) exchange learning and experiences.

Activities will include tendering and procuring the necessary ICT equipment; collecting and documenting lessons learned on an annual basis; developing and disseminating knowledge products; developing and maintaining a website to host knowledge products and exchanges; and integrating project knowledge and learning into the curricula of the TVET.

1.6 Description of the promoter of the project

The National Fund for Environment – FONERWA is a ground-breaking Environment and climate change Fund, established by the Rwandan Government in 2012. The Fund is the largest in its kind in Africa with the Rwanda Green Fund being its branding name.

The Fund's purpose is to be the engine of green growth in Rwanda, while serving as a touchstone for Africa and the rest of the world. The strategy of FONERWA is to provide unheralded technical and financial support to the best public and private projects that align with Rwanda's commitment to a green economy.

The Rwanda Green Fund, FONERWA, has been supported by the German Cooperation through KfW to implement Green City Kigali project. The goal is to develop a sustainable, lively, affordable and inclusive green urban neighborhood in Kigali. The project results from combined efforts by several institutions supporting green growth in Rwanda including the Ministry of Environment, Ministry of Infrastructure, Rwanda Environment Management Authority, City of Kigali, and the Rwanda Social Security Board among many others. The project will demonstrate the viability of green cities in Rwanda, and relevant for replicability for the development of Green Secondary Cities at the national level. This innovative project will integrate green building and design, efficient and renewable energy, recycling and inclusive living, homegrown solutions and local construction materials.

1.7 Description of the consultant

Together with its clients and the collective knowledge of the architects, engineers and other specialists, the SWECO group co-creates solutions that address urbanisation, capture the power of digitalisation, and make societies more sustainable.
The group offers to clients the combination of global expertise and local understanding of their business and context. Its ambition is to be the clients' most relevant partner with the aim to solve any challenge, no matter scale or location.

It is in SWECO group client projects where it has the greatest opportunity to make a difference. The work with sustainable buildings, efficient infrastructure and access to electricity and clean water promotes sustainable development. In close collaboration with clients, the group conducts more than 80,000 projects every year, and sustainability is at the heart of every single one.

Sweco carries out project around the world. It is the leading consulting company in technology and architecture in Europe with a turnover of approximately SEK 20.6 billion (Euro 1.9 billion). The company is listed on Nasdaq Stockholm.

1.8 RAP Study Team

The Consultant's team was comprised of scientists with experience in developing resettlement action plans and these included an Environmental and Social Safeguard Expert, a socio-economist and Resettlement Action Plan Expert; A topographer; A valuation expert and support staff (enumerators, and data entry clerks).

2 INSTITUTIONAL, LEGAL AND POLICY FRAMEWORK

This chapter describes relevant international best practices, institutional arrangements, legal instruments and policies applicable to the land property and compensation entitlements in Rwanda. This RAP applies the laws, legislation, regulations, and local rules governing the use of land and other assets in Rwanda as well as international legislations such as KfW Sustainability guidelines and World Bank Environmental and Social Standard (ESSs) and assesses how these standards and policies apply to the project

2.1 International Best Practices

As per World Bank Environmental and Social Standard (ESSs), the developer's ES Framework will include those aspects of the country's policy, legal and institutional framework, including its national, subnational, or sectoral implementing institutions and applicable laws, regulations, rules and procedures, and implementation capacity, which are relevant to the environmental and social risks and impacts of the project. Thus, it is relevant that project establishes the governance framework within which Project resettlement, assistance, or compensation elements will be designed, implemented, and operated for its sustainability.

2.2 National Institutional Framework

A comprehensive list of institutions involved in the GCK Project are provided in the Pre-ESIA (2019). The institutions relevant to -- and with a mandate to -- effect GCK resettlement processes are detailed in Figure below. They include institutions (ministries and agencies) at the national level, institutions at the provincial (province) and local level (district, sector, cell, and village).

National Government Institutions
Ministry of Environment (MoE)
Rwanda Environment and Climate Change Fund / Rwanda Green Fund (FONERWA)
Ministry of Infrastructure (MININFRA)
Ministry of Local Government (MINALOC)
Ministry of Finance (MINECOFIN)
Rwanda Environment Management Authority (REMA)
Rwanda Housing Authority (RHA)
Provincial Institutions
City of Kigali
District Institutions
Gasabo District
Kinyinya Sector
Villages and cells
Agatare, Binunga, Gasharu, Ngaruyinka, Rusenyi, Taba

Figure *10*: Project-related Institution Hierarchy

2.2.1 Institutions at the national and provincial level

The main Ministry, Authorities, Institutions and Boards responsible for development of policy, framing regulation, developing projects, monitoring and approval of issues related to Resettlement and Compensation are:

- Ministry of Environment (MoE)
- Ministry of Infrastructure (MININFRA)
- Ministry of local Government (MINALOC)
- Ministry of Finance and Economic Planning (MINECOFIN)
- FONERWA
- Rwanda Housing Authority (RHA).
- Rwanda Environment Management Authority (REMA)

The Ministry of Environment (MoE) develops land utilisation policies (including surveying, land classification, land laws, and land tenure), environmental policies and procedures (including impact assessments) protecting natural resources (water, land, flora, and fauna), and environmental legislation, biodiversity, and other environmental aspects informed by Environment Law.

MoE is the main resettlement-governing ministry in Rwanda, working directly with the respective project development Ministry/Institution. Since the GCK site has sensitive surrounding wetlands[4], some of which the local population are cultivating for subsistence crops, the MoE will participate in applying Article 66 which requires, amongst other things, measures envisaged for reducing, preventing, or compensating for negative intervention consequences and reasons for the choice.

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The Ministry of Infrastructure (MININFRA) is the parent ministry of the GCK with oversight for the following sectors: transport, energy, housing and human settlement, water and sanitation, and meteorology. MININFRA's mission and purpose is to ensure sustainable infrastructure development and contribute to economic growth while enhancing the population's quality of life. The Ministry ensures national policy and strategy formulation, sector oversight, budgeting and resource mobilisation, and overall Rwanda sector performance monitoring including urban areas within which the GCK is located.

The Ministry of Finance and Economic Planning (MINECOFIN) coordinates national budgeting, planning, and financing. In large-scale development projects, they are sometimes responsible for approving compensation pay-outs to PAPs for loss of crops and trees[5].

Ministry of Local Government (MINALOC) plays a crucial role in district, village, and cell-level decision-making. MINALOC has a prominent role in urban projects, particularly those including a housing component.

FONERWA: is the Rwanda green fund with a purpose to be the engine of green growth in Rwanda. It is one of five agencies under the supervision of the Ministry of Environment (MoE) in Rwanda. Its vision is to respond to Rwanda's current and future financing needs for environment, climate change, green growth to accelerate goals of national sustainable economic development. It also provides expert technical assistance to ensure the success of its investments. Financial support of GCK Project from government and development partners will be managed by FONERWA.

FONERWA's Environment and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)[21] are developed with respect to FONERWA's wide range of projects types funded, as well as the different needs and capacities of funding applicants that include public and private sector applicants as well as CSOs. For the purpose of single/multiple sub-components implementation, a subsidiary of FONERWA will be created, through the means of a Special Purpose Vehicle (SPV), this SPV shall consider the FONERWA ESMF/RPF as the "umbrella" management framework.

The Rwandan and International requirements for FONERWA Project Environmental and Social Safeguarding and Public Consultation and Disclosure (PCD), are considered where applicable to the environmental and socio-economic and socio-political context of Rwanda. Policies, laws, regulations and institutional framework relevant, to a particular FONERWA funded project have to be assessed at International, National and District level (& included understanding of community level structures). This chapter includes the relevant national and international policy and legislation, environmental and social management and resettlement procedures as applied to the FONERWA ESMF, establishing the framework for a prospective Project's E&S management processes.

[4] The Kigali Master Plan (2019) reflects relocation/resettlement of households inhabiting restricted and hazardous areas including protected wetlands as one of its goals (p12).

[5] In projects with a resettlement component in Rwanda MINECOFIN have been unwilling to approve payments if no title deed exists. In cases like these the GCK will need to coordinate and integrate with MINECOFIN to anticipate and resolve such bottlenecks.

The Rwanda Housing Authority (RHA) It is the implementing agency operating under the MININFRA, established in order to organize the construction industry as a whole and by doing so to spur the National Strategy for Transformation (NST). RHA has been mandated to manage the urban and rural settlement strategy of the Nation, in which most importantly is achieving green settlements with affordable housing.

Rwanda Environment Management Authority (REMA): It facilitates coordination and oversight of national environmental policy implementation and the subsequent legislation. REMA's mission is to promote and ensure the protection of the environment and sustainable use of natural resources through decentralised structures of governance and seek a national position to emerging global issues with a view to enhancing the wellbeing of the Rwanda people. REMA is the main enforcement agency of ESIAs and subsequent RAPs.

Rwanda Social Security Board (RSSB): Based on the law No. 45/2010 establishing RSSB, the main responsibilities of RSSB are to: monitor and promote pension, the insurance on occupational hazards, the insurance on maternity leave, the anticipated old age pension and other necessary branches, to register employers, employees, beneficiary and person for whom subscription was made in various RSSB branches, to pay social security benefits to beneficiaries, to guarantee health insurance services rendered to beneficiaries, to engage in investments as provided by law.
The Project construction and implementation will be required to pay pension and health insurance for its workers. RSSB is also a potential collaborator in the development of the pilot element of the Project.

City of Kigali (CoK) is one of the five Provinces of Rwanda. CoK has the mission to build and sustain a city of character, vibrant economy and diversity through strong partnership with stakeholders in order to provide responsive, rapid and effective urban development. CoK's responsibilities include as delivered through relevant statutory bodies as appropriate:
to ensure the implementation of national policies;

- to prepare the development plan of the CoK and ensure its implementation;
- to prepare the master plan of the CoK, specific master plans and to ensure their implementation,
- to develop infrastructure and urbanization of the CoK;
- to ensure the safety of people and goods in the CoK;
- to issue guidelines and to coordinate activities of districts;
- to ensure hygiene, sanitation and water treatment in the CoK;
- to develop and implement the plan of action for the transport of persons and goods in the CoK;
- to mobilise resources and put in place strategies for collection of taxes and fees in accordance with relevant laws;
- to promote and follow up investment activities in the CoK;
- to provide services that are not rendered by other administrative entities of the CoK; and to promote cooperation and partnership with other organs at national or international levels. To develop infrastructure and urbanization of the CoK launched on September 4, 2020 a new and accommodative master plan that will allow city dwellers to know what and where to invest their resources. The new City of Kigali Master Plan 2050 brings flexibility in building and also enhances social inclusion, among others.

According to the new Kigali Master Plan, the Kinyinya Project Area has 4 zoning regulations:

- R1-Low density residential zone;
- R1A-Low density residential densification zone;
- R2-Medium density residential - Improvement zone;
- R3-Medium density residential - Expansion zone: This is where is falling the Pilot and Upgrade zones.

While the City of Kigali Masterplan is binding, consultations with CoK One Stop Centre for any proposal regarded as exception or changes on the City of Kigali Master plan are possible.

2.2.2 Institutions at the district level

Gasabo District

With regard to the Project, Gasabo district is the local entity responsible for coordination of good governance and administration programs to promote economic, social and political development. With the Project located in Gasabo district, it falls under the jurisdiction of Gasabo district and shall engage with the public in the Project Area of intervention towards the implementation of the Project.

District One Stop Centres (DOSCs)

The District Once Stop Centres (DOSCs) responsibilities include implementing land registration, maintaining land registers, monitoring and approving property valuation activities, and demarcating and approving land cadastral maps.

The DOSCs play a major role in RPF and RAP implementation by:

- Establishing sector- and cell-level Local Resettlement Committee (LRC);
- Clarifying LRC policies and operational guidelines;
- Coordinating and supervising LRC RAP implementation;
- Assessing PAP land tenure rights validity;
- Assisting in titling and land use permits for new project activities;
- Ensuring effective grievance mechanisms are in place.

Sector / Cell Land Committees

Sector- and Cell-level Land Committees (e.g. Cell Land Adjudication Committee (LAC)) liaise with the DOSCs and assist in raising public awareness, including facilitating extensive PAP consultations. They also approve sector- and cell-level land use changes, ensure Land Use Master Plan alignment, and provide information on current local land use and land tenure and ensure project grievance mechanisms meet legislative requirements.

2.2.3 Sector & Village Level Committees

Kinyinya sector covers the two cells of Gasharu and Murama and specifically the villages of Agatare, Ngaruyinka, Rusenyi, Gasaharu, Taba and Binunga in the two cells.

Kinyinya sector and Project affected cells are essential in stakeholder engagement towards Project implementation, land and asset acquisition where required by the Project, access to basic services such as water, roads, electricity, health services, education services.

Local Resettlement Committee (LRC)

Local Resettlement Committee (LRC), established by the DLBs at the sector and village levels, are comprised of district experts and community representatives. They include Sector Land Managers and Agronomists, Executive Secretaries of affected cells, Village Leaders of affected villages, and at least three PAP representatives from each village, including at least one female and one potentially vulnerable person. The LRC will participate in the compensation, valuation, and sign-off process and play a role in reviewing cell-level grievances. They are involved in participatory Project monitoring and they play a key role in identifying potentially vulnerable households.

Village Mediation Committees (VMCs/abunzi)

At the village (imidugudu) level, Village Mediation Committees (abunzi) (VMC) hear local disputes, including land disputes. The abunzi have mandatory jurisdiction over land disputes of less than three million RWF, which covers most disputes. The abunzi also have mandatory jurisdiction over succession and boundary disputes involving less than three million RWF. In Rwanda, umurutasibo, organised at the street level or confined to a limited number of households, also play a role in mediation.

The **abunzi** will be used as the first step in resolving land acquisition disputes and grievances. They will also be involved in the RPF and RAP development as much as possible in order to ensure community buy-in at an early stage.

2.3 National legal and policy instruments relevant to the project

There are a number of national legal instruments that are relevant to the project, especially in activities/ project pertaining to resettlement, land acquisition, and compensation.

2.3.1 National legal instruments relevant to the project

A significant number of legal instruments/laws have been enacted to ensure and effective resettlement, land acquisition, and compensation in the context of infrastructure development and /or construction in different Districts of Rwanda. These include the following:

- The Constitution of the Republic of Rwanda, 25th December 2015;
- Law N° 27/2021 of 10/06/2021 Law governing land in Rwanda;
- Expropriation law N° 32/2015 of 11/06/2015;
- Law No.10/2012 governing urban planning and building in Rwanda
- Law No.17/2010 of 12/05/2010 Establishing and Organizing the Real Property Valuation Profession in Rwanda.

The table below describes national important resentment legislations as well as aspects of compliance with regard to upgrading project.

Table 1: Key national laws relevant to the project)

S/N	Law	Relevance	Compliance Aspects
1	**The Constitutions of the Republic of Rwanda of 2003, revised in 2015.**	The constitution is the supreme law. It should be noted at the outset that, all laws and regulations in Rwanda must be aligned with principles in the Constitution. The Rwandan Constitution was approved in a national referendum and adopted in Parliament on 25th December 2015. It defines the principles and overall legal framework for the management of land, water, energy and agricultural sector, among other things.	Under Article 34 of the Rwanda constitution every citizen has a right to private property, whether personal or owned in association with others. Further it states private property, whether individually or collectively owned, is inviolable. However, this right can be interfered with in case of public interest, in circumstances and procedures determined by law and subject to fair and prior compensation. Article 35 stipulates that private ownership of land and other rights related to land are granted by the State. The constitution provides that a law should be in place to specify modalities of acquisition, transfer and use of land (expropriation law). The constitution also provides for a healthy and satisfying environment. In the same breath every person has the duty to protect, safeguard and promote the environment. The State shall protect the environment;
2	**Law N° 27/2021 of 10/06/2021 governing land in Rwanda**	This Law determines modalities of acquisition, registration, allocation, possession, transfer, management and use of land. According to the article 9 of this law, on modalities of land tenure, a person who acquired land through inheritance, succession, purchase, donation, exchange, land sharing or legal grant by competent authorities, owns it in accordance with one of the following tenure modalities: ▪ **emphyteutic lease:** type of land ownership based on a long-term contract between the State and a person granting him or her rights on land ▪ **freehold:** a form of land tenure based on a contract between a person and the State, where it grants him or her full and indefinite rights over the land; The article 41 stipulates that a holder of land rights enjoys full rights in exploiting his or her land in accordance with legal provisions. The State grants the right to free ownership of land and protects the land rights holder from being dispossessed of the land whether totally or partially, except in case of expropriation in the public interest in accordance with relevant laws.	The impact related to physical and socio-economic displacement was analysed to understand the significance related to loosing land and assets as the upgrading of Ngaruyinka project activities require land temporarily, permanently, partially or totally. Appropriate mitigation measures were recommended to sustain the livelihood of affected parties in the context of implementation of this public interest project.
3	**Expropriation law Nº32/2015 of 11/06/2015**	The law determines the procedures relating to expropriation in the public interest. Only Government orders expropriation in the public interest. Article 4 stipulates that every project, at any level, which needs to carry out acts of expropriation in the public interest shall budget for valuation of the property of the person to be expropriated and for a fair compensation. "Fair compensation" is defined as, "an indemnity equivalent to the value of land and the activities performed thereon given to the person to be expropriated and	A RAP study was prepared for adequate compensation and relocation of displaced parties. Minutes of public consultations meetings conducted with concerned PAPs and other relevant stakeholders pertaining to the upgrading of Ngaruyinka project, indicate that the concerned population was sensitized about the project, and it was clearly explained that the project is meant for public interest. In Rwanda involuntary resettlement is governed by expropriation law

S/N	Law	Relevance	Compliance Aspects
		calculated in consideration of market prices as well as compensation for disturbance due to expropriation". Article 22 dictates that land values and property prices consistent with the prevailing market rates shall be established by the Institute of Real Property Valuers (IRPV) in Rwanda. Article 23 states that independent valuers certified by the IRPV should conduct land and property valuations in the presence of (in accordance with Article 25) the landowner/property owner -- or their lawful representatives -- and representatives of local administrative entities.	and valuation law. Both laws do not have provisions on RAP preparation and approval.
4	**Law No.10/2012 governing urban planning and building in Rwanda**	Covers topics on rules in building planning, real estate development regulations, liability of construction professionals, masterplan for land management and urban planning, local and specific land development plans ▪ Covers the purpose for building planning, which is to promote harmonization of professional practice in construction. ▪ Covers the modes of land acquisition including expropriation in the public interest as well as the qualifications for occupancy and building permits. ▪ Requires urban planning to perform with the aid of the following documents: ✓ master plan for land management and urban planning; ✓ local land development plans; ✓ specific land development plans; and (d) land subdivision plans. ▪ Requires building planning (architectural project) is to be carried out using the following documents: ✓ the cadastral register; ✓ the layout of structures; ✓ the graphic document; ✓ the composition of the graphic document and cost estimates; ✓ stability calculations of the structure; and ✓ aspect of the structure.	The upgrading of Ngaruyinka project is a housing project; thus, it is required to refer and apply its housing and real estate procedure in compliance to provisions in this law. ▪ States that the City of Kigali and districts shall have Master plans for land management and urban planning in conformity with the pattern of rational land use in Rwanda. ▪ The development will be implemented after effective expropriation and compensations of affected parties.
5	**Law No.17/2010 of 12/05/2010 Establishing and Organizing the Real Property Valuation Profession in Rwanda**	This law provides for the registration of land in Rwanda and conditions for registration. The law also allows the Government to conduct valuation when mandated by their government institutions. Articles 27, 29, 30 and 31 of the law deals with valuation methods. These articles stipulate that price for the real property shall be close or equal to the market value. The valuation could also compare land values country wide. Where sufficient comparable prices are not available to determine the value of improved land, the replacement cost approach shall be used to determine the value of improvements to land by taking real property as a reference. The law also allows the use of international methods not covered in the law after approval from the Institute of Valuers council.	This RAP has been prepared in full consideration and observance of this law, whereby it stipulates that the valuation of assets to be affected by the project will be done in accordance with this law. In Rwanda involuntary resettlement is government by expropriation law and valuation law. Both laws do not have provisions on RAP preparation and approval.

2.3.2 National policies and strategies relevant to the project

In addition to the above laws, relevant policies and strategies have been enacted to ensure and effective resettlement, land acquisition, and compensation in the context of upgrading rehabilitation and /or modernizing villages in different Districts of Rwanda. These include the following:

Vision 2050

The Rwanda vision 2050 was published in December 2020. Rwanda's Vision 2050 articulates the long-term strategic direction for "the Rwanda we want" and the enabling pathways to achieve this ambition. Vision 2050 serves as the critical planning and policy blueprint to guide the efforts of all players in Rwanda's development, including government, private sector, citizens, diaspora, civil society and faith-based organizations, development partners, academia and research institutions, and political parties.

The Vision 2050 has overarching objectives of promoting Economic Growth and Prosperity and High Quality of Life for Rwandans and is anchored around five pillars, including "Competitiveness and Integration" through quality infrastructure, among others. Thus, upgrading of Ngaruyinka project is fully imbedded within the Vision 2050 spirit and aspirations.

Sustainable Development Goals (SDGs)

The Sustainable Development Goals (SDGs) are a set of 17 goals the world will use over the next 15 years to end extreme poverty, fight inequality and injustice, and fix climate change. Formed through extensive consultation with all levels of society, the SDGs are a comprehensive development plan to leave no person behind. With the SDGs, Rwandans have the opportunity to act upon their vision for the future. No poverty, zero hunger, good health, gender equality and infrastructure are among 17 set goals.

National Gender Policy, 2021

The National Gender Policy states that the Rwandan society is free from all forms of gender-based discrimination and see both men and women participate fully and enjoy equitably from the development processes. The main mission of this policy is to contribute to the elimination of gender inequalities in all sectors of national life, in order to achieve the nation's goal for sustainable development. Resettlement activities for this RAP will involve and affect both men and women in terms of loss of property and both genders are expected to be treated equally in sharing the compensation amount or other accompanying measures relating to the relocation and resettlement following the acquisition of land and properties in the project area.

National Social protection Policy, 2020

The overall objective of the policy is to strengthen the national social protection system with a view to ensuring that all Rwandan citizens have a dignified standard of living. The project activities will affect all categories of citizens, including vulnerable, thus the RAP, will ensure that the most vulnerable groups are provided with livelihood resettlement measures.

National Land Policy, 2019

The National land policy was adopted in June 2019. This policy provides register and transfer of land and possibility of investments in land. It also highlights key principle of land use and land management. The policy advocates the protection of green areas, marshy land, valley and protected areas in Rwanda. These protected areas are classified as such because of their multiple roles, namely ecological, economic cultural, and social.

The main objective of their preservation was the conservation of different species and different habitats of biodiversity for educational, touristic and research purposes. These areas have been affected by various changes, one of which is the spatial reduction due to the resettlement of the population. The preparation of this

RAP has taken into consideration this policy, in the sense that the resettlement to be occurred as result of the settlement upgrading works will be done in planned manner following the provisions of this RAP.

National Strategy for Transformation, 2017

The National Strategy for Transformation has among other outcomes, the "increased access to basic infrastructure (water, sanitation, electricity, ICT, Shelter achieved)". NST1 shall enable the establishment of a viable infrastructure, which will be capable of addressing its current and future shortcomings and shall contribute to significant growth and economic development of Rwanda, in order to achieve the development objectives that are set out in both policy documents for the benefit of the Rwandan people.

Thus, upgrading of Ngaruyinka project is a vital infrastructure that significantly contribute to economic growth as more activities are created.

National Occupational Safety and Health Strategy, 2019

It aims at providing a framework for coordination of OSH activities among public, private, employee's organizations and civil society institutions. This policy will govern implementation of construction works of the upgrading of Ngaruyinka project by establishing safety and health standards at workplace and ensure compliance with occupational safety and health standards.

National Health Policy, 2016

One of the objectives of Rwanda Heath Sector Policy is to improve the quality of life and demand for services in the control of disease. The policy identifies the most common illnesses as a result of unhealthy living or working environment. By upgrading of Ngaruyinka will contribute to improvement of healthy environment in the settlement as well as quality of life and improved health services. The project will comply with this policy by ensuring health safety and the good working conditions and implement awareness programme on HIV Aids, STD, Malaria.

National Housing Policy (2015)

Ensures adequate living conditions, to enable all residents to access housing, and to establish and anchor both objectives within national policies and programs, thereby positively impacting on the needs of a human, including shelter, income, food security, social inclusion, knowledge and personal productivity.

Sets three pillars comprising public benefit, resource-efficient planning, green technology and professionalism, and governance and partnership. Essential towards developing a sustainable Project design.

City of Kigali Master plan 2050

Introduces a more equitable, flexible and incremental approach to city development, aligned with UNHABITAT principles and supporting the United Nations Sustainable Development Goals. It will guide Kigali city planners in their plans to accommodate a population of 3.8 million residents and provide 1.8 million jobs by 2050.

According to the new City of Kigali Master plan, the Kinyinya Project Area has 4 zoning regulations.

- R3-Medium density residential - Expansion zone: This is where is falling the Pilot and Upgrade zones.
- R1-Low density residential zone
- R2-Medium density residential - Improvement zone
- R1A-Low density residential densification zone

The City of Kigali Master plan is binding on the Project development. Possibility for consultations with CoK One Stop Centre for any proposal regarded as exception or changes on the City of Kigali Master plan.

2.4 International relevant instruments

In addition to the national requirements, the Project has to comply with international Standards. Applicable for this Project is the KfW Sustainability Guideline on the Assessment and management of Environmental, Social and Climate Aspects: Principles and Procedures (October 2019)6, the World Bank Environmental and Social Standards (ESS, 2018)7, World Bank Group General EHS Guidelines & sector specific EHS Guidelines8 as well as general international best practice procedures.

2.4.1 World Bank Environmental and Social Standard (ESSs)

In addition to the above discussed national legal and policies application to this project, World Bank Environmental and social Standards (ESSs) will be also applied. WB was adopted new environmental and social framework with 10 Environmental and social standards replaced existing WB/OP. The ten Environmental and Social Standards establish the standards that the Borrower and the project will meet through the project life cycle.

Among of these ESS1-10 of World Bank ESSs, the works meant to upgrading of Ngaruyinka Village project will require to meet with five Environmental and Social Standards: ESS1: Assessment and Management of Environmental and Social Risks and Impacts; ESS2: Labour and Working Conditions; ESS4: Community Health and Safety; ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement; and ESS10: Stakeholder Engagement and Information Disclosure. Below are the details of ESSs applicable to RAP:

2.4.1.1 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5)

ESS5 has the following objectives:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by (a) providing timely compensation for loss of assets at replacement cost, and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

According to ESS5 during the implementation of upgrading of Ngaruyinka project the following keys are required:

a) **Eligibility classification:** Affected persons may be classified as persons: **(a)** Who have formal legal rights to land or assets; **(b)** Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or **(c)** Who have no recognizable legal right or claim to the land or assets they occupy or use.

[6] https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie_EN.pdf
[7] http://pubdocs.worldbank.org/en/837721522762050108/Environmental-and-Social-Framework.pdf
[8] https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/policies-standards/ehs-guidelines

b) Project design: The Borrower will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period of time. The Borrower will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental, social, and financial costs and benefits, and paying particular attention to gender impacts and impacts on the poor and vulnerable.

c) Compensation and benefits for affected persons: When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods;

d) Community engagement: The Borrower will engage with affected communities, including host communities, through the process of stakeholder engagement described in ESS10.

e) Grievance mechanism: The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

f) Planning and implementation: Where land acquisition or restrictions on land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits.

g) Physical displacement: In the case of physical displacement, the Borrower will develop a plan that covers, at a minimum, the applicable requirements of this ESS regardless of the number of people affected.

h) Economic displacement: In the case of projects affecting livelihoods or income generation, the Borrower's plan will include measures to allow affected persons to improve, or at least restore, their incomes or livelihoods. The plan will establish the entitlements of affected persons and/or communities, paying particular attention to gender aspects and the needs of vulnerable segments of communities, and will ensure that these are provided in a transparent, consistent, and equitable manner.

2.4.2 UN Basic Principles and Guidelines on Development-Based Evictions and Displacement

Paragraph 38 indicates that states should fully explore all possible eviction alternatives. All PAPs, including women, indigenous peoples, and persons with disabilities, as well as others working on behalf of the affected, have the right to relevant information, full consultation, and participation throughout the entire process and the ability to propose alternatives that authorities should duly consider.

As per paragraph 43, evictions should not render individuals homeless or vulnerable to other human rights violations. The State must adopt all appropriate measures, to the maximum of its available resources - especially for those unable to provide for themselves - to ensure the provision of adequate alternative housing, resettlement, or access to productive land. Alternative housing should be situated as close as possible to the original place of residence and livelihood sources of those evicted.

Under paragraph 52, competent authorities shall ensure that evicted persons or groups -- especially those who are unable to provide for themselves -- have safe and secure access to:

- Essential food, potable water, and sanitation
- Basic shelter and housing
- Appropriate clothing
- Essential medical services
- Livelihood sources

- Livestock fodder and access to common property resources previously depended upon
- Education for children and childcare facilities.

States should also ensure that members of the same extended family or community are not separated as a result of evictions.

As per paragraph 60, when eviction is unavoidable and necessary for the promotion of the general welfare, the State must provide or ensure fair and just compensation for any losses of personal, real, or other property or goods, including property rights or interests.

2.4.3 Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries (VGGT)

The VGGT provide direction and information on internationally accepted practices for systems involved in the rights to use, manage, and control land, fisheries, and forests. As per Section 3, states should:

- Reasonable measures should be taken to:
  - Identify, record, and respect legitimate tenure right holders and their rights, whether or not tenure is formally recorded
  - Refrain from infringement upon tenure rights of others and to meet the duties associated with tenure rights.
- Safeguard legitimate tenure rights against threats and infringements. Tenure right holders should be protected against the arbitrary loss of their tenure rights, including forced evictions inconsistent with their existing obligations under national and international law.
- Promote and facilitate the enjoyment of legitimate tenure rights. Active measures should be taken to promote and facilitate the full realisation of tenure rights or the making of rights transactions, such as ensuring that services are accessible to all.
- Access should be provided to everyone, through judicial authorities or other approaches, to resolve tenure rights disputes. Affordable and prompt outcome enforcement should also be provided. States should provide prompt, just compensation where tenure rights are taken for public purposes.
- Active measures should be taken to prevent tenure disputes from arising and from escalating into violent conflicts. States should endeavour to prevent corruption in all forms, at all levels, and in all settings.

Under Section 8.1, states should ensure that appropriate systems are used for the fair and timely valuation of tenure rights for specific purposes, such as the operation of markets, loan security, tenure rights transactions resulting from investments, expropriation, and taxation. Such systems should promote broader social, economic, environmental, and sustainable development objectives.

Under Section 8.2, valuation-related policies and laws should ensure that valuation systems consider non-market values such as social, cultural, religious, spiritual, and environmental values where applicable.

As per Section 23.1, states should ensure legitimate tenure rights to land, fisheries, and forests of all individuals, communities, or peoples likely to be affected -- with an emphasis on farmers, small-scale food producers, and vulnerable and marginalised people -- are respected and protected by laws, policies, strategies, and actions to prevent and respond to climate change effects consistent with relevant climate change framework agreements.

2.4.4 BMZ Guidelines on human rights standards

In order to incorporate human rights standards and principles in program proposals for bilateral Technical and Financial Cooperation, the German Federal Ministry for Economic Cooperation & Development (BMZ), specify that development interventions must not exacerbate existing social disadvantages, and should aim to reduce disadvantage. Planning processes should be as inclusive as possible and free, prior-informed consent (FPIC) must be respected in decisions affecting indigenous peoples. Involuntary resettlement should be avoided, but if unavoidable, should be justifiable and proportionate, and compensation should

be paid at full replacement costs -- or preferably through the provision of alternative lands of equal value -- and further livelihood restoration measures and legal protection must be guaranteed.

2.4.5 KfW- Sustainability Guideline

The KfW Sustainability Guideline on the Assessment and management of Environmental, Social and Climate Aspects: Principles and Procedures (October 2019) aims to promote sustainability and avoid adverse environmental, social and climate impacts and risks. The Guideline describes procedures to assess the environmental, social and climate aspects during the preparation and implementation of financial cooperation measures financed by KfW Development Bank along the following core principles, especially those pertaining to resettlements:

- to avoid adverse impacts upon the living conditions of communities, in particular indigenous people and other vulnerable groups, as well as to ensure the rights, living conditions and values of indigenous people;
- to avoid and minimise involuntary resettlement and forced eviction of people and their living space as well as to mitigate adverse social and economic impacts through changes in land use by reinstating the previous living conditions of the affected population;
- to ensure and support occupational health and safety as well as health protection in the workplace;
- to condemn forced labour and child labour, ban discrimination in respect of employment as well as occupation and support the freedom of association and the right to collective bargaining;
- to avoid all forms of discrimination;
- to avoid negatively influencing existing conflict dynamics;
- to protect and preserve cultural heritage;
- to support the executing agency in the management and monitoring of possible adverse environmental, social and climate impacts and risks associated with the implementation of the financial cooperation measure.

2.4.6 Green Climate Fund's Environmental and Social Policy

The Green Climate Fund (GCF) has established an Environmental and Social Policy describing how the GCF integrates environmental and social considerations into its decision-making and operations to effectively manage environmental and social risks and impacts and improve outcomes.

During screening and risk assessment activities, GCF policy requires considering risks related to involuntary resettlement and indigenous people.

Section 46 specifies that ESMPs are required and that all activities are screened -- including sub-projects of programs and activities requiring financial intermediation -- for potential involuntary resettlement impacts, with ESS land acquisition and involuntary resettlement standards taken into account.

GCF-financed activities must be designed and implemented to avoid or minimise involuntary resettlement. If involuntary resettlement is unavoidable, GCF requires -- through informed consultations and participation of the people or communities affected by the activities – RAP preparation or, if specific activities or locations are undetermined, a RPF proportionate to the extent of physical and economic displacement and the vulnerability of the people and communities.

In cases of economic displacement or livelihood access restrictions resulting from land acquisition and resettlement, livelihood restoration and compensation plans or frameworks must be developed. The plans or frameworks must complement the activity social assessments and provide guidance on specific issues and due process related to:

- Involuntary Resettlement
- Land Acquisition;
- PAP Consultations regarding:
  - PAP rights and optionsAsset compensation
  - Free, prior and informed consent in cases of indigenous lands and territories
  - Livelihood loss and restoration
  - Transition allowances

- Facilities and resettlement sites
- Grievance redress.

Section 64 requires that RAP is publicly disclosed in the same manner and time frame as core instruments such as ESIA, ESMP, and/or operational ESMS and ESMF. The documents must be sufficiently comprehensive to inform proposed activity assessment and decision.

2.4.7 Gap Analysis of National Law and WB/KfW Standards

International Standards require that Project Proponents demonstrate how they will address gaps between domestic requirements and international standards and requirements. A gap analysis with the differences between Rwanda national legislation and policy and WB and KfW Guidelines and how they are mitigated in this RAP is presented in Table_3 below. Similarly, in a number of cases, as shown in Table below, the WB/KfW requirements are more comprehensive and explicitly favourable to PAPs than the provisions of the Rwandan Law. All in all, in the event of divergence between the two, the requirements of WB/KfW will take precedence.

Table 2: Comparative Analysis of National Law and WB/KfW Requirements

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	Strategy
Stakeholder Engagement	Expropriation law requires evidence that communities are sensitised about the project and consultative meetings are held at the outset, PAPs are communicated with before survey/valuation and will sign off on compensation valuation.	Extensive engagement with PAHs required, including those with no legal claim to the land they occupy. ESS specifically requires that women's perspectives be obtained, and their interests factored into all resettlement planning and implementation aspects.	International standards also require engagement with those without legal right to the land they occupy.	Work with Project Implementation Unit (PIU) to detail agreed-to engagement procedures with illegal users, while not creating national policy precedents. Any agreed-to strategy to be detailed in this RPF. (SEP) to ensure women's perspectives adequately captured in all engagement processes.
Displacement Minimisation	Does not expressly address displacement minimisation.	Displacement should be avoided or minimised to the extent possible.	National legislation does not expressly seek to minimise displacement.	Review Project designs and where feasible, amend project boundaries/designs to avoid displacement. Where displacement is unavoidable, relocate as close as possible to home area.
Compensation Calculation	Law outlines valuation methods, which should be based on market rates.	Cash compensation should be sufficient to replace lost land and other assets at full replacement cost.	National law requires approval of Government Valuers. WB stresses full market replacement costs.	Compensation rates are determined by an independent valuer at market rates and if government rates fall short of replacement rates, RPF will outline measures taken to ensure full replacement rate requirements were met.
Eligibility	Owners will be eligible for compensation based on evidence of land titles.	Establish a cut-off-date for inhabitants' eligibility regardless of tenure.	WB recognises squatters' rights before cut-off, regardless of legal tenure.	All eligible owners of pre-cut off date assets (buildings, crops, etc.) will be considered for some level of compensation and treated equally regardless of legal tenure.
Compensation Choices	Allows for compensation-in-kind, but focuses on cash compensation methodologies	ESS 5 states that projects must offer displaced persons the option for replacement land. Compensation-in-kind is preferred, but cash compensation at full replacement value applies where appropriate.	WB specifies that replacement properties must be equal or higher value, and there must be both a choice of properties -- replacement in-kind being the preferred option -- and a cash alternative where appropriate	Physically displaced persons will be offered a choice of replacement properties of equal or higher value, with equivalent or better characteristics and advantages of location.

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	Strategy
Livelihood and Resettlement Assistance	No provision	Livelihood measures should be developed to ensure PAPs are no worse off than they were prior to relocation and will ideally be better-off. The Project should be seen as a development opportunity with clear benefits for PAPs.	National Law does not specify assistance, but WB requires targeted assistance in terms of livelihood support.	Resettlement assistance, specifically moving assistance and allowances, will form part of the compensation framework, in addition to loss of earnings assistance and longer-term livelihood development Programs.
Vulnerable Groups	The Rwandan expropriation law has no special provisions for vulnerable groups.	Vulnerable persons and households should be identified, and Programs established to offset impacts and allow households to take advantage of project benefits.	WB requires focused measures for vulnerable groups.	Specific efforts will be made to identify vulnerable, or potentially vulnerable, households at time of baseline surveys. Subsequently, specific transitional measures and provisions for vulnerable groups appropriate to their circumstances will be developed.
Gender Considerations	National law does not detail particular considerations for women.	The consultation process should ensure that women's perspectives are obtained, and their interests factored into all aspects of resettlement planning and implementation.	WB requires specific gender considerations are in place throughout the entire resettlement process.	Specific measures will be taken to ensure women's views are incorporated and captured during the socio-economic surveying process and safeguards put in place to protect the women'' rights throughout the resettlement process, particularly compensation. Mitigation measures -- specifically designed for improving the livelihoods of Project-affected women -- will be developed.
Grievances	Expropriation law allows only for written objections at initial project announcement and objections to valuation, whereby PAP must assign a valuer at their own cost.	Must establish a grievance mechanism to receive and address specific concerns about compensation and relocation, including a recourse mechanism designed to resolve disputes in an impartial manner.	WB requires specific grievance mechanism to be in place.	Develop, with PIU, a grievance mechanism compatible with existing legislation, including use of Land Adjudication Committees, as well as access to courts.
Monitoring and Evaluation (M&E)	No provision	Requires monitoring and reporting on RAP implementation effectiveness.	WB requires effective monitoring and evaluation of RAP implementation effectiveness.	Determine, with PIU, M&E Program to monitor outcomes for relocating households, including need for comprehensive baseline surveys as referenced above.
The cut-off date	Article 2 of the Rwandan expropriation law demands the expropriating entity	ESS 5 In conjunction with the census, the Borrower will establish a cut-off	The WB requirement is more clear, as it specifies that the	Requirements of ESS5 will be followed.

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	Strategy
	to inform the persons to be expropriated in the public interest of the expected start date of measurement of land and inventory of property incorporated thereon. Such a communication shall be made through an announcement posted on the office of the Cell of the place designated for the implementation of the project.	date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cut-off date may be subject to removal.	cut-off date will be well documented and will be disseminated throughout the project area at regular intervals.	

3 STAKEHOLDER ENGAGEMENT

3.1 International Best Practices

The WB ESS 10[9] recognizes the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project's environmental and social risks. Stakeholder engagement is most effective when initiated at an early stage of the project development process and is an integral part of early project decisions and the assessment, management and monitoring of the project's environmental and social risks and impacts.

3.2 Purpose and objectives of Stakeholder Engagement

Effective resettlement planning requires regular consultation with a wide range of Project stakeholders. Early consultation helps to manage public expectations concerning impacts of a project and expected benefits. Subsequent consultations provide opportunities for the Project proponent and representatives of affected populations to negotiate compensation packages and eligibility requirements, resettlement assistance, and the timing of resettlement activities.

- To establish a systematic approach to stakeholder engagement that will help the project to identify stakeholders and build and maintain a constructive relationship with them, in particular project-affected parties.
- To assess the level of stakeholder interest and support for the project and to enable stakeholders' views to be taken into account in project design and environmental and social performance.
- To promote and provide means for effective and inclusive engagement with project-affected parties throughout the project life cycle on issues that could potentially affect them
- To ensure that appropriate project information on environmental and social risks and impacts is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner and format
- To provide project-affected parties with accessible and inclusive means to raise issues and grievances, and allow the project to respond to and manage such grievances

3.3 Stakeholder Engagement Plan (SEP)

Effective stakeholder engagement meant to improve the environmental and social sustainability of projects, enhance project acceptance, requires a consistent stakeholders Engagement Plan (SEP). Thus, for the GCK Project vision is overtly consultative in that it seeks to "align all stakeholders toward achieving the objectives of the Green City Kigali Project"10. The SEP aims to improve and facilitate decision-making and create an atmosphere of understanding that actively involves individuals, groups, and organisations that can affect, or be affected by, Project development.

The SEP's specific objectives are to:

- Work closely with key government departments, other organisations, community representatives, and communities in a coordinated way to enhance participation
- Continuously engage with all stakeholders through information disclosure, consultation, and participation in monitoring project activities to build positive relationships, minimise risks, and maximise opportunities for social development. This includes local communities and authorities, such as sector and cell committees and leadership

[9] Stakeholder Engagement and Information Disclosure,

- [10] Pre-ESIA p16

- Involve affected stakeholders in assessing and monitoring the Project's RAP and identifying improvements
- Integrate stakeholder information across the project planning functions (including risk assessment, design and engineering, health and safety planning, external communication, workforce planning) by, for example, ensuring regular information exchange and communication between various teams, managers, and staff
- Effectively and efficiently respond to stakeholders' concerns and complaints based on two-way engagement and the Project's grievance mechanism
- Provide periodic updates on evolving Project design changes and other developments and issues regarding through established communication mechanisms appropriate and accessible to local, national, and international stakeholders.

3.4 Approach to Stakeholder Engagement

The project shall have a specific Stakeholder Engagement Plan (SEP), which will be based on a participatory approach amongst various stakeholders at the village, district, and national levels. The aim purpose of developing stakeholder engagement strategies as part of the RAP is to:

- Inform Project-affected Persons (PAPs) about the Project and Project-related proposals, decisions and actions;
- Receive feedback from PAPs on Project proposals, record their concerns, and provide feedback on issues raised;
- Consult PAPs on local economic and social conditions and gather local knowledge.
- Ensure vulnerable group identification and participation
- Enable PAPs to participate in Project development, endorsement, and implementation
- Encourage stakeholder participation in monitoring and evaluation activities.

All Project-related engagement activities should be designed to achieve the following objectives:

- Maintain and strengthen constructive, ongoing relationships with Project stakeholders, based on mutual understanding, respect, trust and ownership,
- Ensure engagement activities are undertaken in a manner that is inclusive, culturally appropriate, and tailored to PAPs language preferences, literacy levels, and gender-specific needs
- Ensure all engagement activities are free of intimidation or coercion, and all participants are aware of their rights under national law and international standards.

3.5 Identification of Stakeholders for the Project

As per WB ESS guidance note defines stakeholder identification as the process of:

- Identifying individuals, groups or local communities that may be affected by the project, positively or negatively, and directly or indirectly, making special effort to identify those who are directly affected, including the disadvantaged or vulnerable
- Identifying broader stakeholders who may be able to influence the outcome of the project because of their knowledge about the affected communities or political influence over them
- Identifying legitimate stakeholder representatives, including elected officials, non-elected community leaders, leaders of informal or traditional community institutions, and elders within the affected community.

GCK Project stakeholders will be identified through a variety of methodologies including:

- Formal discussions with local leadership and government agencies
- Community meetings and forums
- FGs with key groups such as landowners, women, youth, religious leaders, and farmers.

Local community stakeholders will also be identified through asset and socio-economic surveys, which offer an additional opportunity to gather project development concerns and issues.

Stakeholders' contact details will be recorded in the Project Database. Stakeholders will be mapped and analysed to understand their relationships, likely key issues, and the most effective engagement means for various groups.

3.6 Stakeholder Groups

At this stage, a number of key stakeholders have been identified and summarized below.

3.6.1 Project affected persons (PAPs)

Government Agencies

GoR departments and agencies will act as the Lead Project Proponent, monitor for compliance, and issue licenses and permits. Government agencies may also be involved in livelihood improvement programs, such as agricultural outreach services.

Local Communities

The Project will develop a Local Resettlement Committees (LRC) to participate in the compensation, valuation, sign-off process, and cell-level grievance review. The LRC play an important role as intermediaries between the Project and the community and therefore, the LRC must be representative of all stakeholder interests. Therefore, the LRC must include women, youth and vulnerable as active participants to ensure the interests and concerns of these stakeholder groups are represented.

Special Interest Groups

Residents, some of whom are small-scale and subsistence farmers, are the primary Project Area special interest group. Youth and women are particular special interest groups:

- Youth will benefit from and be greatly interested in additional employment opportunities
- Women, who can potentially be heavily impacted by land access and resettlement, culturally do not tend to participate in decision-making, will require special Project measures to ensure their participation and ability to benefit from Project programs.
- People with disability (PWD)

Non-Governmental Organisations (NGOs)

Large-scale infrastructure projects throughout the world are under increasing scrutiny due to potential impacts to mostly rural groups. The Project will need to actively engage with Project Area, national, and provincial NGOs. In addition, Project Area NGOs will be identified for potential collaboration on livelihood and vulnerable programs.

Contractor

Project Area contractors will be encouraged to hire local community members, particularly for semi-skilled and unskilled jobs.

3.7 Public Consultation to Date

Public participation and community consultation have been taken up as an integral part of social assessment process of the project. Consultation was used as a way to inform stakeholders and collect their views and concerns about the proposed action both before and after the development decisions were made. This participatory process enables the participation in the decision-making process. Initial Public consultation has been carried out in the project areas with the objectives of minimizing probable adverse impacts of the project and to achieve speedy implementation of the project through bringing in awareness among the community on the benefits of the project.

The project consultations were made to consult with the public as well as a number of local authorities, to collect their thoughts, opinions and feedback on the impact of the Ngaruyinka upgrade project. Due to COVID-19 preventive measures, restricting public gatherings, these consultations were initially conducted through individual consultation during the socio-economic survey, there after via phone calls to concerned stakeholders. After alleviating COVID-19 preventive measures, especially allowing gathering of small groups/ Focus groups further public consultation meetings were organized in the project area.

3.7.1 Stakeholders at local level

Involving stakeholders through participatory direct or indirect consultations is central to completion of the RAP. The stakeholders were those who have an interest in the project, and who will be involved in the further consultative process. The main groups of stakeholders met are:

- Project Affected Persons (PAP);
- Local authorities;
- Community People and Road Users, farmers; and
- Churches and cooperative leaders
- Representatives of vulnerable groups such as women, PWD and youth.

During the consultative process, beside the local authorities and ordinary population (mainly PAPs), other social groups such as church leaders, local cooperative leaders, representatives of women, youth and PWD were also called so as to hear from them. During the additional public consultation meetings, the same groups were targeted. The public consultation for ESIA and RAP was conducted at the same time.

3.7.2 Meeting procedure

All meetings begun with the Consultant introducing his team to the attendees, where they are coming from and purpose of their visit. Those consulted would also introduce themselves and the stakeholder engagement agenda generally followed this structure:

- *Project introduction*- This included introducing; the Project objectives, Components proposed project interventions and areas of influence.
- *Issues faced* by the stakeholders consulted were then presented
- *Opinions* on proposed project interventions for each component.
- *Suggestions on their expectations* of the project intervention areas
- *Benefits expected* from the project.
- Risks and adverse impacts from project activities
- Proposed mitigation measures or adaptation measures to the adverse impacts.
- Understanding of *the socio-economic baseline* of the Local Sector of project intervention

3.7.3 Stakeholder identification and engagement schedule

Table 3: Stakeholder Group Identification

Category	Roles and responsibilities	Interest	Influence Power
Government Agencies: **MoE, RDB, FONERWA** **REMA, MININFRA** **MINALOC** **MINECOFIN** **RHA, LODA**	Central government and municipal departments and agencies will act as the Lead Project Proponent, monitor for compliance, and issue licenses and permits. MoE will be the Accredited Entity, and FONERWA will be the Executing Entity. Government agencies may also be involved in livelihood improvement programs. Engaging with government ministries, institutions, agencies, authorities, and departments will serve two main purposes: one is to build consensus and ownership, and secondly is to identify the governance framework for socio-economic development and environmental management. Other agencies will be involved in consultations, permits, dissemination, etc…	High	High
Local Authorities **City of Kigali, Gasabo District, Kinyinya Sector, Murama Cell**	The local authorities may exert influence and decisions about the results and method to perform the project. They play an important role as intermediaries between the Project and the community and therefore, must be representative of all stakeholder interests.	High	High
Local Communities **Ngaruyinka leaders** **Opinion leaders** **Heads of Amasibo**	Involvement of local communities at earlier stage will help prevent or mitigate early on problems/complaints that may arise and hinder project progress in the next phases. The local authorities may exert influence and decisions about the results and method to perform the project. They play an important role as intermediaries between the Project and the community and therefore, must be representative of all stakeholder interests. In the environmental and social assessment studies, especially RAP and ESIA (Annex 6 of the GCF application), the Government and consultants have analysed project impact and identification of PAPs as well as prepared a consultation plan to communicate to the PAPs about project impacts.	High	High
Informal farmers in the wetlands	There is a substantial number of people who use the targeted wetlands surrounding the project site for their livelihoods. These include small scale farmers. Their formal identification and engagement will be done during the preparation of ESIAs and their views on how the project will impact them and their proposals on mitigation measures will be collected then and further assessed for implementation.	Medium	Low
Special Interest Groups	Residents of the Ngaruyinka community some of whom are small-scale and subsistence farmers, are the primary Project Area special interest group. Youth and women are special interest groups*:* • Youth will benefit from and be greatly interested in additional employment opportunities • Women, who can potentially be heavily impacted by use of public spaces, culturally do not tend to participate in decision-making, will require special Project measures to ensure their participation and ability to benefit from the Project	Medium	Low
Non-Governmental Organizations (NGOs)	Non-governmental organizations (NGOs) and community-based organizations (CBOs) can be sources of local knowledge, sounding boards for project design and mitigation, conduits for consulting with sensitive groups, and partners in planning, implementing, and monitoring various project-related programs. The Project will need to actively engage with Project Area, national, and provincial NGOs. In addition, Project Area NGOs will be identified for potential collaboration on livelihood and vulnerable programs.	Medium	Medium
Contractors & **Developers**	During implementation, project contractors will be encouraged to hire local community members, particularly for semi-skilled and unskilled jobs. This will be anticipated during the planning stage.	Medium	Medium
Women and vulnerable groups	Vulnerable/disadvantaged groups are community members likely to be affected but may have difficulty in engaging with the stakeholder consultation process and thus may not be able to fully express their concerns regarding the proposed Project.	High	Low

	Vulnerable groups could be for example: Poor women headed households, people with physical or mental disabilities, small-scale farmers using the wetlands, small-scale traders using roadsides to sell their products among others.		
Media	The media including, newspapers, magazines, other printed media, televisions, local radio stations, community radios, and social media will be used to communicate about the project activities and progress. It will also serve as a channel to communicate with stakeholders and a platform where stakeholders can express their concerns.	Medium	Medium
International development partners	Development partners are very important in supporting the project and in monitoring project progress and providing learning experience for other countries	High	High

Table 4: Summary of Stakeholder Consultation meetings schedule as part of the ESIA/RAP process

Date	Methods of Engagement	Stakeholder Group	Institution	Purpose of meeting and Key issues raised/ discussed
Sept 13, 2021	Public meeting Informed Consultation and Participation (ICP)	National institution and local government	▪ FONERWA ▪ Rwandan Housing Association ▪ City of Kigali	▪ Discussion about strategic context of the GCK project ▪ Roles and responsibilities, institutional set-up Details on Institutional Setup for the Steering Committee, Technical Committee, GCK board and FONERWA
Sept 14th -27th 2021	Meeting	Subject Matter Expert	FONERWA	▪ Discussion about strategic context of the GCK project ▪ Roles and responsibilities, institutional set-up High-level ESIA should be entirely reused for the SESA. ▪ New Community Benefit Company founded. ▪ Establishment of a housing purchase & mortgage assistance program. ▪ Resettlement ▪ Existing social housing (11 ha) ▪ People are mostly renting. Value of land will go up due to the development of the Project. Landowner will increase rent -> then not affordable anymore.
Sept 15, 2021	Public meeting Informed Consultation and Participation (ICP)	National ministry	Ministry of Environment	▪ History of the site selection ▪ Discussion about strategic context of the GCK project ▪ Roles and responsibilities, institutional set-up There is no framework for evaluation on the success of the project. However, the assessments of the E&S consultants are a tool to demonstrate the impacts of the Project also comparing it to other green cities around the globe. Building Code for new construction projects (level 3 compliance) changed, to included minimum resource efficiency. This means new properties need to get permit and this will consider resource/water efficiency and waste management. However, the challenge is to implement this new

				regulation. Currently, around 30% compliance of the code, it needs to be ensured that continuously this regulation will be enforced. Private already existing or permitted developments like Cactus Park and Dubai need to change and adapt to requirements at the masterplan to be considered green as part of the overall development. Not only new development is required to fulfil the sustainability principles. Steering committee and technical committee are planned.
Sept 16, 2021	Public meeting Informed Consultation and Participation (ICP)	National institution	FONERWA	▪ Discussion about strategic context of the GCK project ▪ Roles and responsibilities, institutional set-up Unclear responsibilities is a major risk. Responsibilities for O&M, and capacity Collaboration between different shareholder, entities, channels of communication and sharing No framework for evaluation of the success of the project. What are the green criteria? REMA has capacity to do evaluation but legal framework for sustainability is not there yet.
Sept 17, 2021	Public meeting Informed Consultation and Participation (ICP)	National Institution	REMA	Discussion about gender context in the Project area, existing issues and ways to address them. Gender Analysis and Gender Action Plan for the Upgrade Project 1. Four focus groups with 20 women in total 2. Two focus groups with men 3. Five interviews with different women to identify daily routine (24h mapping to identify e.g. Hours of unpaid work) 4. Safety walk in the settlement (lightning, road safety, …)
04th-16th November 2021	Community Meetings Focus Groups	Ngaruyinka Community	ESIA Team SWECO on behalf of FONERWA	▪ ESE Survey ▪ Fixed Assets Valuation data collection ▪ Focus Group discussion: groups of PAPs ▪ Focus Group discussion: Opinion Leaders
January 11, 2022	Public meeting Informed Consultation and Participation (ICP)	National institution and local government	FONERWA ESIA and Technical Team SWECO	Open discussions with relevant stakeholders to collect views and concerns from different institutions to be included in the ESIA and RAP reports to be considered in the project cycle

The table below shows participants in the focus group discussion at the village level.

Table 5: Participants in the focus group discussion at the village level

S/N	Session	Number of Participants
1	Women	82
2	Men	63
3	Youth	32
Total		**177**

3.7.4 Summary of anticipated negative and positive impacts

Participants to the consultation through focus group discussion identified a number of environmental and social impacts both positive and negative to be caused by the activities of the Ngaruyinka Upgrade project.

As much as stakeholders (participants in the FGDs) appreciated and welcomed the Project, they expressed concern on a number of issues associated with the Project. Below are some of the most emerging issues raised and discussed during consultation:

- **Starting time of the project**: Most of participants in the consultation were eager to know about the starting time of the project, since the Project Affected Parties are not allowed to use their land (in the road reserve area) nor renovate their houses for any long-term project.
- **Valuation process and time frame**: PAPs whose properties are located alongside the road wanted to know how the valuation will be conducted, and when exactly it will take place.
- **Expropriation and Compensation:** The Project affected persons (PAPs) also expressed their concern about the expropriation and compensation of their properties that will likely be affected by the project activities. Participants expressed their concerns, especially with regard to delays in paying the compensation, basing on experiences from similar project developed in the area and across the country. They insisted on the timely payment of the compensation before the starting of project activities as per expropriation law and other international applicable standards.
- **Potential disturbances**: Stakeholders observed that the settlement upgrading activities would bring about disturbances of noise and destruction of some properties in the vicinity of the project area.
- **Water drainage**: Participants complained about the water drainage process along which water is directed on people's residence or crops, which leads to flooding with subsequent damage on houses and crops in the vicinity of the project area.
- **Job opportunities**: participants wanted to know job opportunities that will be availed by the project to local communities. They suggested that local communities especially PAPs be given priority in the recruitment of skilled and unskilled workers during project implementation. This will be done during the project implementation and specifically by involving recruiting the local communities among project skilled and non- skilled workers and for the routine maintenance program by Local Community Associations (LCAs). District labor inspector and local authorities in close collaboration with the consultant and contractor, shall monitor the effectiveness of job opportunities to local communities. In addition, the contractor will be required to develop a detailed Labor management Procedures as per ESS2, which outlines how the local communities will be employed in the project.

The table_7 below summarises the anticipated both positive and negatives impacts as expressed by participants in consultation at local level:

Table 6: Summary of anticipated both positive and negatives impacts expressed by participants in the FGDs

Anticipated project impacts	
Positive	**Negative**
• Creation of employment to the local population; • Improvement of infrastructure to boost development in the area; • Creation of income generating activities around the project area • Overall, the project has a huge potential to facilitate transport in the settlement and access to basic infrastructures in the project area and in the vicinity.	• Noise and vibration by construction machinery • Land and crops losses • Cutting of the trees and other environmental damage; • Risk of accidents from the project during implementation • Damage of people's properties; • The settlement upgrade construction works may also lead to increases cases of sexually transmitted diseases due to influx of workmen who are associated with irresponsible behaviors. • Increased soil erosion due to excavation works along the project boundaries as well as improper drainage of runoff from the project area to lower catchment areas.

3.7.5 Public consultation (FGD) findings

In addition to the above impacts raised during FGDs with PAPs, participants asked questions to which the consultant provided answers and clarification. The opinions obtained from public consultations, views as well as concerns from local communities are detailed in table_8 below.

Table 7: Summary of topics, issues, concerns and expectations raised during FGDs with PAPs

S/No.	Topic	Issues, concerns and expectations raised by stakeholders
General topic/ Issues, concerns and expectations		
1	Brief introduction of the project, background, objectives and component	Team of consultants briefed participants about the project, its objectives and components. They explained about the project's direct and indirect area of influence and infrastructures to be affected by project activities during the implementation.
2	Participants opinion/ perception about the project	Most of participants supported the project as it will bring more benefits than adverse impact. The project responds to general interest. Such infrastructure constitutes the basic and foundation of development.
3	Project opportunities and positive impact	The project is expected to have more benefit and unlock trade opportunities in the project area. Anticipatively, the project is likely to generate income, facilitate trade and transport of goods from and to the area, etc
4	What are the negative impacts of the project on your Livelihoods?	We think that the following negative impacts will occur during implementation of this project: • Relocation from our houses is definitely a negative impact; • Accidents which may occur during operation of Roads constructions; • We are afraid the valuation rates will be too low, we expect to see a competitive compensation which will enable us to find

S/No.	Topic	Issues, concerns and expectations raised by stakeholders
General topic/ Issues, concerns and expectations		
		alternative houses on the market with possibility to build another one close to where we are.
5	How the above negative impacts can be mitigated?	Participants expect to be relocated after receiving the compensations calculated based on the real market value, receive jobs during project implementation, and be provided additional support to restore their livelihood. They also expect, during construction operations, the contractor to ensure safety measures preventing at maximum accidents.
6	What is your contribution as citizens in the implementation of the project?	Participants committed to mobilize other people to participate in the implementation of this project and confirmed to be partners of the project in all phases
7	Which benefits the project will bring to you?	Participants expect fair and timely compensation, jobs and trade facilitation from the project.
8	How this project should support vulnerable people?	Participants expects that the vulnerable PAPs be specifically treated and supported by the project
9	Introduce the cut-off date and inform them that a new asset/house to be constructed within the right of way after survey/valuation will not be Compensated.	As mentioned earlier, it was communicated during the consultations with PAPs that the cut-off date is 04th November 2021, which coincides with the first day when the census begun i.e. socio-economic survey and valuation of affected assets. Participants committed to observe the agreed cut-off date.
10	Some of properties will be affected by the project. Which compensation mode do you prefer? (Compensation in cash or compensation in Kind	Compensation in cash will be better for us so that we can buy houses or build new ones according to our choices and capacity.
Specific topic/ Issues, concerns and expectations for women and other vulnerable groups		
1	Special support for vulnerable groups	Vulnerable groups shall be provided with special advisory support at all stages of resettlement and compensation, including trading, payment and moving. They will be assisted to can fully participate in various programs of restoration and improvement of the living conditions that will be implemented, in terms of training, experience sharing, micro-credit, and be ensured that the concerns, claims, complaints that they can make against the Project or other institutions within the framework of resettlement, compensation and restoration, shall be duly considered. In addition to compensation allowances, the poorest vulnerable people will be facilitated to get reestablishment of livelihood activities (provision of seedlings, agricultural inputs, and financial credits for equipment, health insurance, etc) while being facilitated to participate in required consultations.
2	Special Support for women	In addition to the above special supports for vulnerable groups including women, the project shall comply with the existing gender mainstreaming strategies and initiatives, especially during recruitment of workers.

In line with the above consultation, the following major suggestions emerged:

Table 8: Major suggestions raised by participants in public consultation (FGDs)

S/N	Raised suggestion	Response
1	Suggestion: We are suggesting that the valuer considers the actual market value for land and all assets instead of using	An approved professional valuer will conduct the valuation, he/she will use market value, and an independent association of valuers provides these values. After valuation, each PAP will be

	Government rates which are not fair and not updated	requested to sign the value given to the assets as a sign of consent. In case you will be not satisfied, you will be given the opportunity to appeal through prescribed channels.
2	We suggest that compensation package be deposed to joint account (household head and spouse)	The project will consider this suggestion and transfer money to joint account
3	We suggest this project be implemented as soon as possible because we are holding development or rehabilitations of our houses, in case the project is implemented with delays, this will cause disturbance.	The project will start as soon as the funds are mobilised. The government needs to implement this project in order to improve the socio-economic conditions as considered through the government development strategies.
4	We suggest that the developer should pay compensation before implementation of the project	Compensation will be paid before the implementation of the project as Required by Rwanda expropriation law.

All the participants appreciated the Ngaruyinka upgrade project. The project received high degree of acceptability in that Ngaruyinka upgrade project will boost local economy due to increased usage of the roads hence more exposure and increased trading opportunities.

During public consultation following points have emerged as their recommendations:

- The PAPs and other stakeholders consulted at local level are in favor of the project;
- The PAPs will prefer financial compensation for houses and other properties likely to be affected;
- Most of the PAPs are looking forward to get employed by the project, and hope the project implementation to start soon.

Detailed minute of public consultation and details of participants list are appended to this report as annex III.

4 SOCIO-ECONOMIC BASELINE DATA

4.1 PAHs and PAPs within the project area

The upgrading of Ngaruyinka project is situated in Gasabo District, Kinyinya Sector and covers two (2) cells (Murama and Gasharu) and three (3) villages (Ngaruyinka, Rusenyi and Gasharu). The table_10 below shows the number of Project Affected Households (PAHs) and Project Affected Persons (PAPs) in the project area.

Table 9: Population (PAPs) in the project area

S/N	Project	Total Number of Plot [11]	Number of the Household residing in Village [12]	Number of Population living in the village[13]	Number of Household to be affected by the project [14]	Number of PAPs[15]
• 1	Ngaruyinka upgrade project	1285	585	1634	411	1625
Total		**1285**	**585**	**1634**	**411**	**1625**

Source: Field survey and Analysis, November 2021

The above table shows that Ngaruyinka has 1285 plots identified through a plot by plot count undertaken by local survey team, and by considering the registered UPIs. In addition, the table also indicates that the settlement has 558 household counting 1634 population living in the settlement calculated through a house to house count undertaken by local survey team with assistance from local community leaders and representatives. The table also presents 411 household whose properties and assets will be affected by the project activities, with a projected number of 1625 PAPs calculated by considering the number the number of household to be affected by the project times the overage size of the household. The project impact will be detailed in the subsequent chapter (Chapter 5).

4.2 Presentation of respondents per Sex

Sex disaggregated data were collected to know the number of male and female among the PAPs. This was done with the aim to get views from both male and female respondents so as to avoid biasness in the responses. Both female and male can be affected by the project differently; so, it would be unrealistic to get views from one sex. As such, the table_11 shows that 67.6% of PAPs are male, whereas 32.4% are female.

Table 10: Distribution of respondents per sex

S/N	Project Ngaruyinka upgrade project	
	Sex	**Percentage (%)**
1	**Male**	**67.6**
2	**Female**	**32.4**
Total		**100**

Source: Field survey and Analysis, November 2021

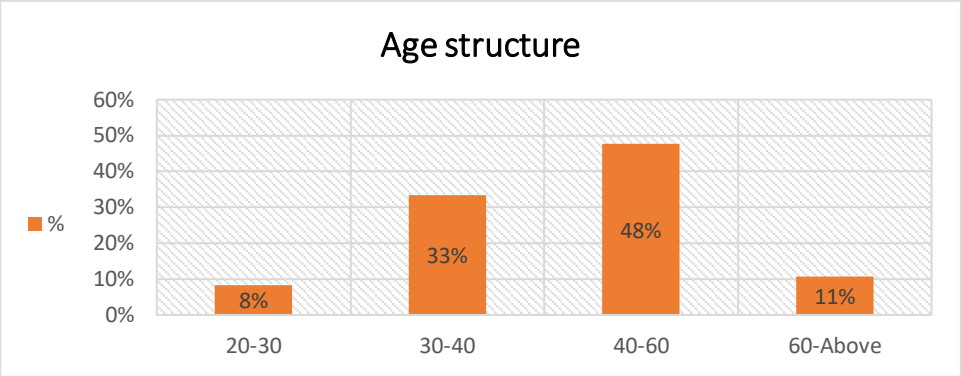
4.3 Age structure of the of the respondents

The age structure of the respondents (PAPs) was a necessary part of the research to determine whether the results of the findings are from mature persons who understand the phenomenon under assessment. In light of findings from the figure_11 below, the majority of respondents 48% are in the range of 40-60 years. During this age, it is assumed that people are more active and likely to be involved in various activities. This range is followed by the

[11] Total number of identified plots in Ngaruyinka village, some are occupied by their owners or tenants, while others are not occupied.
[12] Total number of Household living in Ngaruyinka village
[13] Total number of population living in Ngaruyinka Village, excluding those who have assets in the village but not residing in the village.
[14] Total number of household whose asset or properties are going to be affected, composed of household that have properties in Nyaruyinka village, either living in the village or not.
[15] Estimated number of the Project affect persons representing the number of affected households multiplied by the overage number of household members.

group age of 30-40, which represents 33%. The group 60-above has 11% is followed by the range of PAPs who have 20-30 representing 8%. These results show that the majority of respondents are mature and active; therefore, they can be reliable.

Figure 2: Distribution of respondents per age

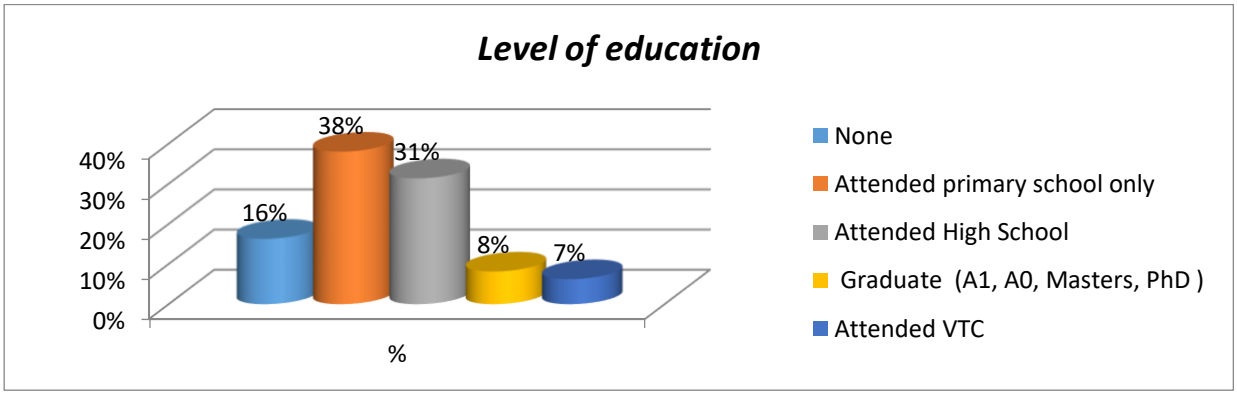


Source: Field survey and Analysis, November 2021

4.4 Level of education of respondents

The level of education of the respondents (PAPs) was a necessary part of the survey to determine the education status of PAPs. The level of education among respondents (PAPs) is low as revealed by the data analysis reported in figure_12. Among the respondents (PAPs), 38% of PAPs have attended primary school only (elementary level), followed by 31% of respondents attended high school, while 16% of respondents among the PAPs did not attend school and 7% attended VTC. The proportion of PAPs with a graduate level represent 8%, of respondents.

Figure 3: Distribution of respondents per level of education

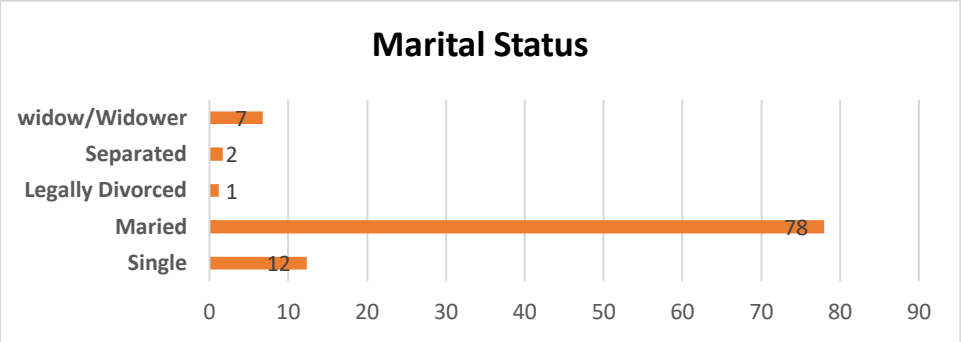


Source: Field survey and Analysis, November 2021

4.5 Marital status of respondents

The marital status of the PAP is an important parameter to know the views of different categories of people among the PAPs. Findings in figure_13 show the marital status of the respondents. About 78% of respondents are married; followed by single, representing 12%, Widow/er 7%, 2% are separated and 1% divorced.

Figure 4: Distribution of respondents by marital status



Source: Field survey and Analysis, November 2021

4.6 Size of the household of respondents

Table_12 summarizes the family size of the households' respondents. The Analysis has indicated that the majority of PAPs have a medium size of the household with 50% with a number of persons ranged between 4-7 persons within the household. This is followed by small size of the household with 46% and 4% of the respondents' families' size is large, means that the size of the family is above 7persons in the household.

Table 11: Size of the household of the respondents

S/N	Family size	%
1	Small (1-3)	46%
2	Medium (4-7)	50%
3	Large (Above 7)	4%
Total		100

Source: Field survey and Analysis, November 2021

The average size of the household of respondents (PAPs) in the project area is 4 persons within the household.

4.7 Employment status among the respondents

With regard to the employment status among surveyed PAPs, about 40% of respondents are students, followed by 19% respondents who are farmers and unemployed with the same proportion (19%). In addition, the table below reveals that 13% of respondents are self –employed and own their own businesses, 5% are civil servants, while 4% of respondents are traders. This can be explained by the fact that, though the project is to be implemented in Kigali city, the specific project area is rural dominated, hence agricultural activities (Maize, Beans, fruits, vegetables) are dominant and combined with small businesses selling the produce in the local commercial activities. Table_13 below describes the employment status of members in the PAPs surveyed.

Table 12: Employment status among respondents

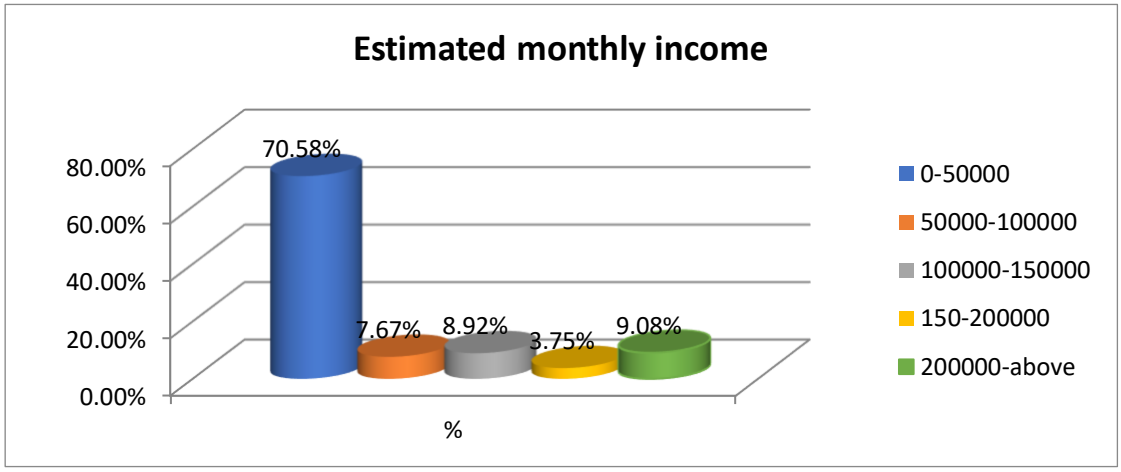
S/N	Employment status	%
1	Civil Servant	5%
2	Famers	19%
3	Self Employed	13%
4	Students	40%
5	Traders	4%
6	Not Employed	19%
Total		100

Source: Field survey and Analysis, November 2021

4.8 Estimated monthly income among respondents

Monthly income was considered as part of the socio-economic indicators during the survey as it provides a picture on the economic status of PAH in the project area. As such, the figure_14 below indicated that the majority of PAHs 70.58% of respondents (PAHs) earn an estimated monthly income of Frw 50000 below, while 9.08% of the respondents (PAHs), earn Frw 200000 and above, 8.9% and the rest of PAHs earn between Frw 50,000 and 200000 on monthly in the project area.

Figure 5: Estimated respondents' monthly income



Source: Field survey and Analysis, November 2021

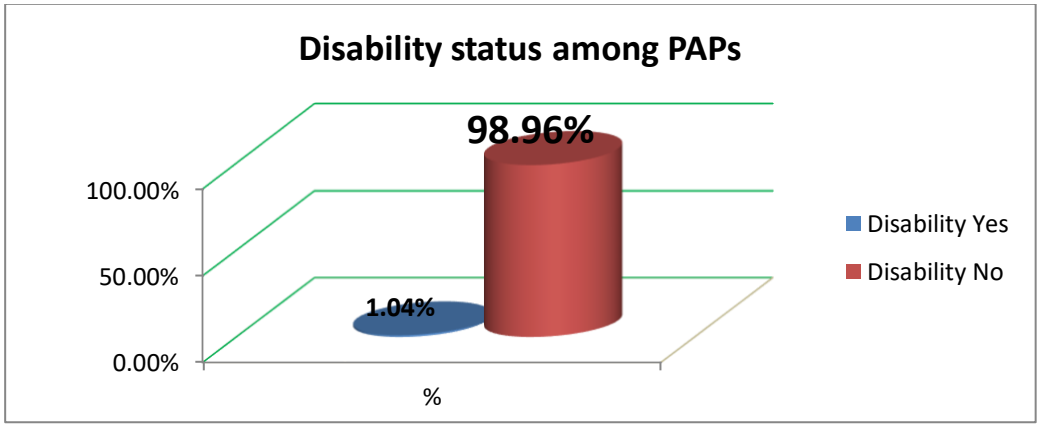
4.9 Vulnerability among the surveyed PAPs

As per social protection policy16, the key vulnerable groups in Rwanda include low income and/or labour-constrained individuals or households such as older people, people with disabilities, female-headed households etc.

Thus, the socio-economic survey and subsequent analysis indicates that there are PAPs who are particularly vulnerable and are at greater risk of further impoverishment because of the implementation of the project. Elderly people, widowhood and divorce hood, people with disabilities (physical and mental), are considered as a vulnerable for this project. Table_15 of this RAP provides that 1.04% of PAHs are particularly among vulnerable groups including orphans, people living with disability, aged people, and to widow/er and orphans; child head of household, and women head of household.

The identified vulnerable household heads will therefore get special treatment during the resettlement process. The same figure shows that 98.96% of respondents (PAHs), are in normal conditions.

Figure 6: Vulnerability among respondents



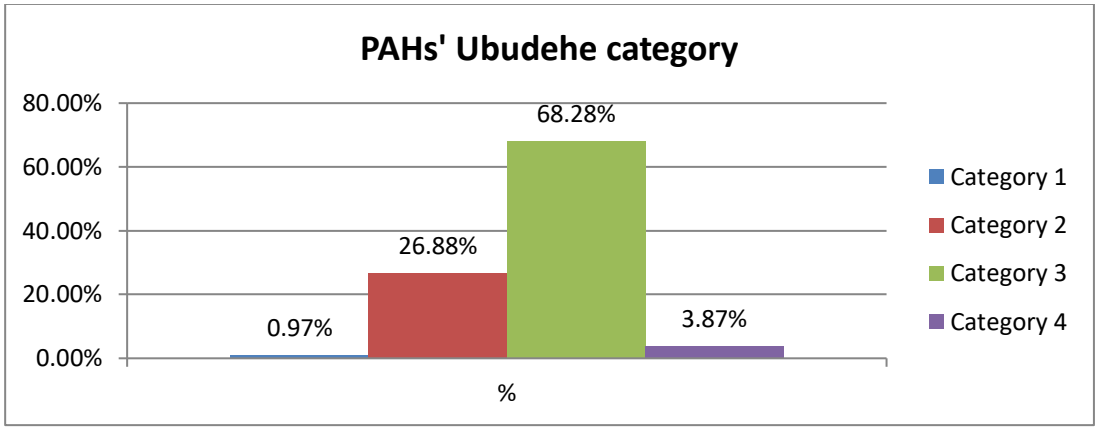
[16] MINALOC, Social protection Policy, June, 2020

Source: Field survey and Analysis, November 2021

4.10 Ubudehe category of Respondents

In a bid to know the level of wealth of PAPs, Ubudehe category17 of PAP was considered while conducting the socio-economic baseline information. Thus, as indicated in figure_16 below, the majority (68.28%) of PAHs in the project area are in category 3, followed by the category 2 with 26.88%, while 3.87% are in category 4 and 0.97% are in the category 1.

Figure 7: Ubudehe category of respondents in the project area



Source: Field survey and Analysis, November 2021

4.11 Assets owned by affected household

During the socio-economic census, assets owned by the project affected household was considered to provide on asset ownership status among the PAPs, and related details are provided in table_14 below.

Table 13: Assets Owned by Affected Households in the project area

S/N	Assets	Option	%
1	Bicycle	No	75.00%
		Yes	25.00%
2	Mobile Phone	No	8.00%
		Yes	92.00%
3	Computer	No	67.00%
		Yes	34.00%
4	Radio	No	40.00%
		Yes	60.00%

[17] **Ubudehe:** was drawn from ancient Rwandan history and can be rightly described as an indigenous knowledge and grassroots based approach to community development which has been scaled up to conform to the requirements of modern rural administration and grassroots governance.

- **Category 1:** Very poor and vulnerable citizens who are homeless and unable to feed themselves without assistance.
- **Category 2:** Citizens who are able to afford some form of rented or low class owned accommodation, but who are not gainfully employed and can only afford to eat once or twice a day.
- Category 3: Citizens who are gainfully employed or are even employers of labour. Within this category are small farmers who have moved beyond subsistence farming, or owners of small and medium scale enterprises.
- **Category 4:** Citizens classified under this category are chief executive officers of big businesses, employees who have full-time employment with organizations, industries or companies, government employees, owners of lockdown shops or markets and owners of commercial transport or trucks

5	Television set	Yes	63.00%
		No	37.00%
6	Cassette player/ radio cassette	Yes	21.98%
		No	78.02%
7	Sewing machine	No	97.00%
		Yes	3.00%
8	Motor cycle	No	91.00%
		Yes	9.00%
9	Car/truck	No	85.00%
		Yes	0%
10	Refrigerator/ deep Freeze	No	75.50%
		Yes	0%
11	Foam/mattress	No	0%
		Yes	100.00%
12	Gas electric/ stove or cooker	No	100.00%
		Yes	0.00%
13	Furniture suite/wooden chain	No	0%
		Yes	100.00%

Source: Field survey and Analysis, November 2021

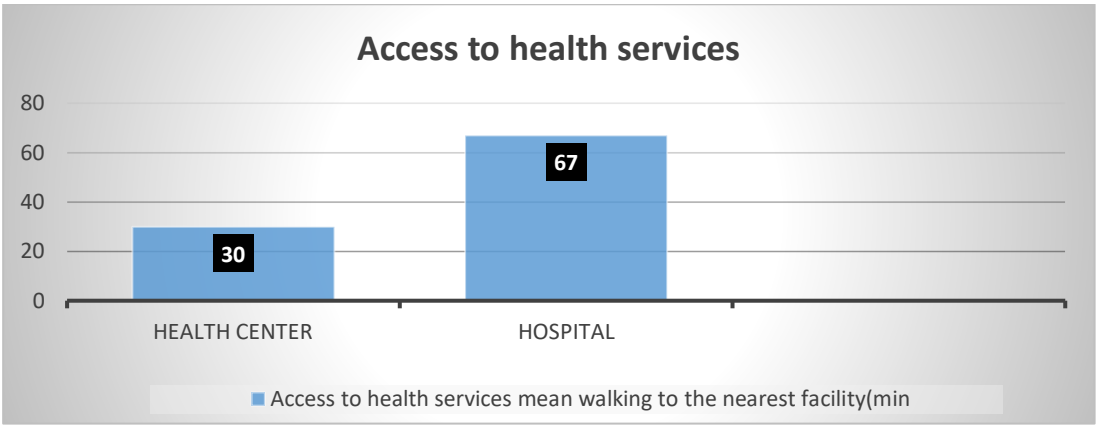
4.12 Access to basic infrastructures in the project area

Access to basic infrastructures such health and school facilities, water and energy infrastructures was taken into consideration in the socio-economic survey. As such, PAHs were asked the time in minute they use to reach the above services.

4.12.1 Access to health services in the project area

In line with the above, from findings in figure_17 below it appears that the overage time (in minutes) used to access health center is 30 minutes, while the overage time to reach the hospital ins 67 minutes.

Figure 8: Overage minutes used to access to health services in the project area



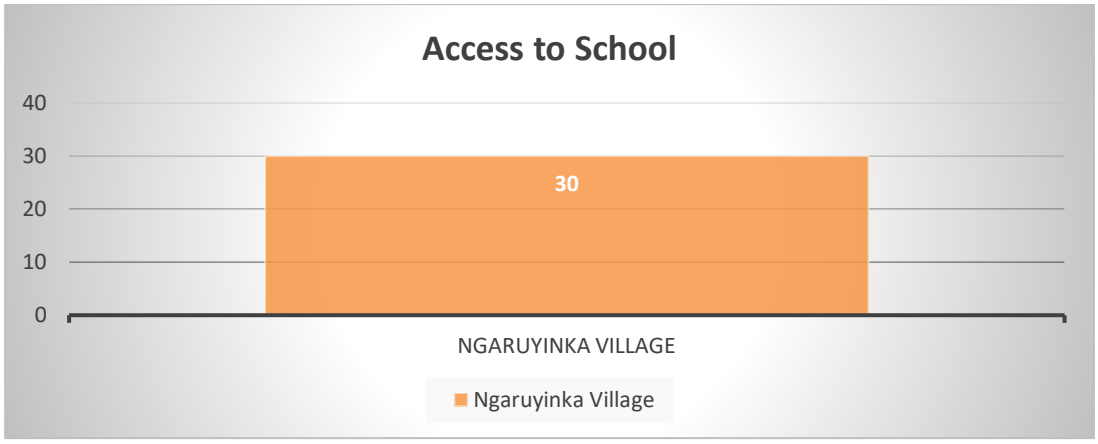
Source: Field survey and Analysis, November 2021

Overall, the above findings indicate that the mean walking distance to the nearest health centre for the project area (Ngaruyinka) crossing the three districts is 30 minutes.

4.12.2 Access to school services in the project area

This sub section intended to assess the time sent by PAPs to reach school facilities. In this regard, findings in figure_18 below indicate that the overall time used by PAPs in Ngaruyinka to reach is less than 30 minutes.

Figure 9: Overage time to access the nearest school facilities in the project area



Source: Field survey and Analysis, November 2021

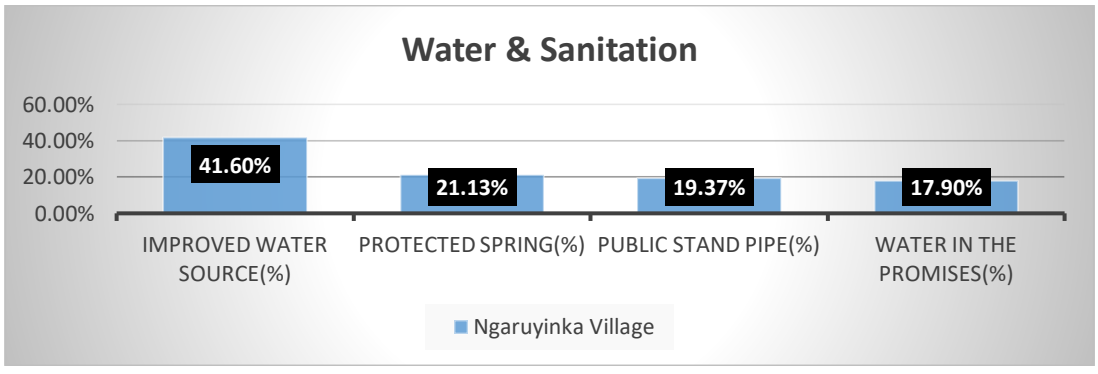
Overall, the above findings reveal that the mean walking distance to the nearest school facility in the project area (Ngaruyinka) is 30 minutes. This implies that there are school facilities in the vicinity of the project area that facility access to education services on the PAHs.

4.12.3 Status of Water and sanitation in the project area

The survey results in figure_19 below show that 41.60% of the households in Ngaruyinka use an improved drinking water source, 21.13% use water from protected spring, 19.37% use water from public standpipe and 17.90% have water in their premises (compound).

The above survey findings reveal that PAHs in the project area have access to improved water and sanitation services. Improved drinking water sources include protected springs, public standpipes, water piped into dwelling/yard, boreholes, protected wells and rainwater collection, as defined by the World Health Organisation (WHO).

Figure 19: Showing the Water and Sanitation in the project area



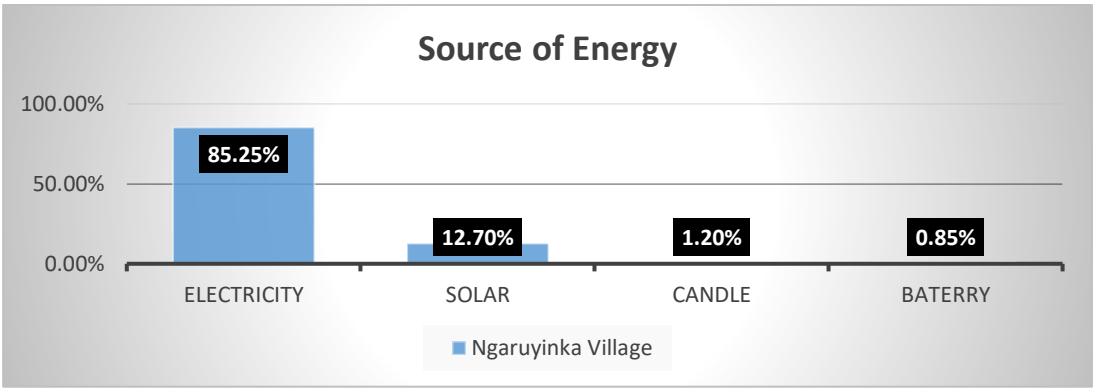
Source: Field survey and Analysis, November 2021

4.12.4 Source of energy along the project area

The survey went further to find out the most dominant source of energy used by PAHs in the project area. As such, survey findings in figure_20 below reveal that the most used source of energy in electricity in Ngaruyinka,

whereby 85.25% point out that electricity constitutes their main source of energy, 12.70% use solar 1.20% uses candle and 0.85% use battery.

Figure 10: Showing the main source of Energy in the project area (Ngaruyinka)



Source: Field survey and Analysis, November 2021

5 PROJECT POTENTIAL IMPACTS

The key initial task in planning resettlement is to identify upgrade of Ngaruyinka project's positive and adverse impacts and propose mitigation measures for the populations that will be affected.

5.1 Impacts triggering resettlements

During preparation of this RAP consideration was given to project components/ activities that would give rise to resettlement. These activities include the horizontal and vertical site demarcation, which includes land set aside for the settlement upgrading realignment project, houses to be completely or partially demolished trees to be cut, crops to be affected and other social economic infrastructures, etc.

The potential impacts include 33 houses, including 17 residential houses and 15 commercial houses. Among these houses, 25 houses are on site while 8 and off site. Few impacts other impacts are related to the cutting of trees or crops. Besides, the settlement upgrading will imply other losses that are detailed in the Resettlement Action Plan evaluation.

In brief, the following are the major impacts, which require compensation or resettlement assistance:

5.1.1 Loss of houses

The upgrading of Ngaruyinka project will likely affect 33 houses with 25 houses on site and 8 houses off site. The total number of houses which will need relocation are presented in table_15 below.

Table 14: Number of Houses to be affected in the project area

S/N	Project	Number of Houses			Number of Household	
1	Ngaruyinka upgrade project	33			32	
Total		33			32	
Houses to be affected by Concentration						
1	ON SITE	25			24	
2	OFFSITE	8			8	
Total		33			32	
Houses to be affected by Type of activity						
		Fence	Residential	Commercial	Residential	Commercial
1	Ngaruyinka upgrade project	7	11	15	17	15
Total		33			32	

Source: Field survey and Analysis, November, 2021

As per data in table above, a total number of 33 houses will be affected by the project, made of 25 houses on site and 8 houses are off site. Among them, 11 are residential and 15 are commercial. All of the identified houses (both residential and commercial) are at high risk of being fully or partially affected by the project activities. This implies that only 17 households will be physically displaced, and 394 household will be economically affected.

5.1.2 Loss of Land

The upgrading of Ngaruyinka project will definitely bring substantial change in the land use patterns. It is estimated that project cover 82,384m2 of land and this land will change the land use permanently from Barren/agricultural/built up land into upgraded settlement. This impact is permanent and irreversible change in land use pattern.

Table 15: Quantity of land to be affected by the project

Project	Quantity of Land (m2)
Nyarukinga upgade Project	82,384

Source: Field survey and Analysis, November 2021

5.1.3 Loss of perennial crops and trees

The project activities will lead to loss of perennial crops and tress and crops. Perennial crops and trees include those that take more than a year to reach full maturity and can be harvested over a long period of time. These include banana, coffee trees and fruit trees. PAHs with standing crops that include trees on their plots within the defined project area are entitled to compensation. Each tree is counted and compensated according to its market value and age of maturity; for instance, a mango tree that is fully matured and producing is compensated 100% of the compensation rate of the tree. The table_17 summarizes the quantity of perennial crops and table_18 shows the number of trees to be likely affected due to the project activities.

Table 16: Quantity of perennial crops to be affected by the project

S/N	Type of crops	Quantity of crops in (m2)
1	Cassava	2,377
2	Banana	699
3	SoyBean	5,704
4	Pasparum	59
5	Casava-vegetables	15
6	Spurge enclosure	60
7	Colocasia	473
8	Tomatoes	348
9	Pineapple	172
Total		9,907

Source: Field survey and Analysis, November 2021

PAHs losing permanent crops are entitled to the following compensation:

- Compensation of value of each crop/tree according to the market value and level of maturity
- Compensation of the land where crops are grown according to the market value if the land is under the ownership of the PAHs.

Table 17: Number of Trees to be affected by the project

S/N	Type of trees	Unit	Number of Trees
1	Dracaenas	Pces	53
2	Eucalyptus	Pces	697
3	Medicinal plants	Pces	92
4	Avocadoes	Pces	119
5	Mangoes	Pces	426
6	Palm	Pces	24
7	Gereveliya/ Grevelia	Pces	70
8	Molinga	Pces	1
9	Guava	Pces	11
10	Papayas	Pces	13
11	Acacias	Pces	24
12	Other Trees	Pces	225
13	Siala	Pces	32
14	Sugar Cane	Pces	239
15	Coffee Tree	Pces	59
16	Sisal Fibers	Pces	16
17	Sycamore Tree	Pces	10
18	Citron	Pces	2
19	Pumpkin seed	Pces	39
20	Orange	Pces	1
21	Euphorbia	Pces	9
22	Water Meron	Pces	3
Total			21,165

PAHs losing permanent trees are entitled to the following compensation:

- Compensation of value of each tree according to the market value and level of maturity
- Compensation of the land where trees are grown according to the market value if the land is under the ownership of the PAHs.

Besides, the project is expected to rehabilitate the area by planting other trees as detailed in project ESIA report.

5.1.4 Loss of seasonal crops and trees

Seasonal crops are mainly those that take less than six months to reach total maturity that allows them to be fully harvested and the land cleared, they include maize, beans, vegetables, sweet potatoes, etc. Considering that the project is at the feasibility stage, these were not considered as PAPs shall have enough time for harvesting. PAPs with seasonal crops will not be compensated for the loss these assets, however, in order to prevent any financial impact or loss of harvest that mainly includes food crops, notice must be provided to all PAPs with seasonal crops within the project area to alert on when to stop cultivating once they have been compensated for loss of land. If they have already cultivated they must be allowed to harvest their crops prior to start of construction.

PAPs loosing seasonal crops are entitled to the compensation of land where the seasonal crops are grown according to the market value if PAP owns the land.

5.2 Impact on Vulnerable groups

The socio-economic survey and subsequent analysis indicate that there are PAPs who are particularly vulnerable and are at greater risk of further impoverishment because of the implementation of the project. People with disabilities (physical or mental), elderly people living alone, child head households, women head of household, widows, widowers and orphans. The socio-economic survey provides that 19% of PAHs representing 78 PAHs are part of the identified have vulnerable groups. The identified vulnerable household heads will therefore get special treatment during the resettlement process.

5.3 Impact Analysis

Analysis of impacts has been conducted. A check list has been prepared to list the environmental parameters and the potential impacts. A typical checklist identifying the anticipated environmental impacts due to the project activities are shown in table_19 below. The impacts have been categorized and analysed in the following manner:

- Nature (positive/negative, direct/indirect);
- Magnitude (high, moderate, low);
- Extent/ location (area/volume covered, distribution);
- Timing (during construction or operation, immediate; or delayed);
- Duration (short term/long term, intermittent/continuous);
- Reversibility/irreversibility;
- Likelihood (probability, uncertainty); and
- Significance (local, regional, global).

Table 18: Impact Analysis

S/No.	Activity	Potential Impact	Nature	Magnitude	Extent / Location	Timing/ Phase	Duration	Reversible/ Irreversible	Likelihood	Significance
i)	Site Acquisition for settlement upgrade	Change in land use/ Loss of Land	Negative Direct	Medium	Small Area/ Large Distribution	Pre-Construction	Long Term	Irreversible	Probability	Regional
ii)	Acquisition of Land	Loss of Crops	Negative Direct	Medium	Small Area/ Large Distribution	Pre-Construction	Long Term	Irreversible	Probability	Regional
iii)	Acquisition of Land	Loss of Agro-Forestry	Negative Direct	Low	Small Area/ Large Distribution	Pre-Construction	Long Term	Irreversible	Probability	Local
iv)	Acquisition of House	Loss of House/ Residence/commercial	Negative Direct	Low	Small Area/ Large Distribution	Pre-Construction	Long Term	Irreversible	Probability	Local
v)	Agriculture land Acquisition	Loss of Agriculture Produce	Negative Direct	Low	Small Area/ Large Distribution	Pre-Construction	Long Term	Irreversible	Probability	Regional

5.4 Potential positive impacts

The planned project activities are likely to generate positive impacts toward people living along the proposed settlement upgrading works. The anticipated ones are the following:

5.4.1 Employment opportunities

During the project implementation, settlement upgrading works, site installation, staff quarters and offices and any other structures will certainly create employment for locals in and around the project areas. Those living closer to the project will be the first one to benefit from that impact. Despite the sophisticated technical work required for the project, there will be a need for man powers for the manual work. For this type of work, local citizens will be the first to be employed. Due to its proximity to Kigali city, it is anticipated that the project may be able to draw a large number of the unskilled workforce from the local area.

Temporary employment generation in this phase has the potential to contribute to poverty reduction, especially if vulnerable local people are employed such as farmers with limited land or the unemployed. The availability of alternative sources of employment is minimal, although opportunities for subsistence farming are present. Local people are therefore considered to be of medium sensitivity to employment generation impacts. Without measures to promote local employment benefits the magnitude of the impact is moderate as it will affect a small number of people and they will obtain skills and experience which will extend beyond the life of the Project, the impact is therefore considered to be a beneficial impact of moderate significance.

5.4.2 Business Opportunities and increase of Income

The project will create opportunities for business whether they are directly or indirectly related to the project. Special procurement and bidding preferences from the side of contractors, should be given to local companies whose workers include some of the skills directly attributable to construction such as general laborers, engineers, heavy equipment operators etc. From the jobs obtained from the project, people will be able to create income generating activities or improve the existing small business because of the presence of electricity in the area.

During the implementation of the settlement upgrading project, commercial activities will be improved in the area, and definitely, it will increase household income for the local citizens. The upgraded settlement will facilitate local citizens to channel their agricultural and industrial products to the markets, which will have a direct impact on the prices of those products. This would enable locals to indulge in off-farm commercial activities from extra income from sales hence improving livelihood in the area.

5.4.3 Improved health and Education

In addition to above indicated positive impacts, the project is likely to have an indirect positive impact to the health and education in the area. For instance, the health centers which do not have access to roads, the project will allow them to be connected to a maintained transport facility, and hence deliver effectively services to the users. The same illustration applies to the education sector.

5.5 Potential adverse/Negative impacts

Despite the presence of positive impacts resulting from the project, the latter may also have some unavoidable adverse impacts to the people along the settlement upgrading works.

5.5.1 Measures taken minimize displacement

During the design, the consultant considered the following measures to minimize potential displacement, including **respect of the project boundaries**, i.e. during the design, efforts were deployed to ensure the boundaries are maintained and respected.

Despite the above measures taken during the design to avoid of minimize the displacement, still, later has been found unavoidable.

5.5.2 Loss of land, crops and structures

The implementation of the project will certainly lead to loss of land, crops and trees and where it is inevitable, some houses or other structures will be lost. This will necessitate a resettlement process. Preliminary details about these losses are indicated in Tables 14, 15, 16, and 17 above.

5.5.3 Pressure on local services/resources and Population Changes

Due to the project, there will be an influx of workers from within the areas and outside the construction region. It is predicted that this Project will result in project-induced in-migration that can substantially change the context in which a project will operate. Population density will be quite high and there is little space for migrants to settle, thus lessening the likelihood of in-migration and concentration of migrant populations.

The contractor shall be therefore required to develop a CESMP as well as a detail labour influx management plan before the commencement of construction work, which comprises the following specific measures, but not limited:

- Minimize and Manage influx;
- Ensure the sustainable managements of influx of labor within the project site and the wider Project Area of Influence addressing all the potential affected communities;
- Avoid, minimize or mitigate potential negative environmental, social and economic impacts which might result from Project-induced population influx; and
- Optimize opportunities for future economic development resulted from the implementation of the proposed project.

This kind of increase in vehicle traffic and population can put a strain on a wide range of local infrastructure components such as roads, transportation systems, water, telecom and utilities, medical services, housing, etc.

The construction of proposed project will need manpower that will be required for various construction activities. Keeping in view the local demography, it can be anticipated that a great number of workforces will be migrating from outside the project area.

There is the potential for significant in-migration from job seekers and camp followers which, due to the existing land, resource and social service constraints and vulnerability of the host population communities, would be an adverse impact on the Project and the local communities.

Local people's vulnerability to in-migration is considered to be medium as they are already poor, and the presence of migrants may somewhat limit their ability to take advantage of Project benefits. The magnitude of the impact is minor as it is unlikely to extend beyond the life of the Project and will be limited to the Project area of influence. Mitigation and enhancement measures will aim to help this be a beneficial impact, however without mitigation, the impact of induced development is considered to be an adverse impact of minor significance.

6 COMPENSATION FRAMEWORK AND ASSISTANCE

This chapter provides on some of the international best practices pertaining to compensation, general applicable principles, eligibility, entitlements as well as the cut-off and household moves.

6.1 International Best Practices

As per ESS, when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the project will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

6.2 General principles

The Article 4 of the Law N° 32/2015 of 11/06/2015 relating to Expropriation in the Public interest, provides that every project, at any level, which intends to carry out acts of expropriation in the public interest, shall budget for valuation of the property of the person to be expropriated and for fair compensation.

6.3 Eligibility criteria for resettlement

Eligibility for compensation as a result of expropriation is enshrined in the constitution under article 35 and the Expropriation Law. The two laws regulate and give entitlement to those affected, whether or not they have written customary or formal tenure rights. The person to be expropriated is defined under article 2(8) of the Expropriation Law (Law N° 32/2015 of 11/06/2015) to mean any person or legal entity who is to have his or her private property transferred due to public interest, in which case they shall be legally entitled to payment of compensation.

Projects that are likely to lead to inconveniences to the society within its location requires adequate economic rehabilitation of the PAPs with due vetting of their entitlements. In this perspective, the key determinant for compensation is on the basis of a pre-project census during which all residents are identified. Replacement costs have been categorized separately from houses, structures, crops and trees. Resettlement will not necessarily require (except by the choice of the PAP) relocation to another settlement or area. In most cases the PAPs will chose to step back within their land.

Through mutual arrangement, both parties can determine the mode of payment. Land acquisition and compensation will be undertaken according to national legislation with particular reference to the Law on Expropriation for Reasons of Public Use.

The eligibility criteria are based on the following three criteria:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;
- Those who have no recognizable legal rights or claim to the land they are occupying.

As per article 26, the owner of land designated for expropriation in the public interest shall provide land titles and documentary evidence that he/she is the owner of property incorporated on land. He/she shall also provide a civil status certificate and a document evidencing his/her chosen matrimonial regime in case of a married person.

PAPs occupying the land, with not titles shall be facilitated by district, sector and cell authorities through existing land committees for testify the land ownership using a form known as “Form 1b” provided by the district one Stop Centre. Once the ownership is testified, PAPs shall be also eligible for compensation of land and property incorporated on land.

The totally relocating PAPs can be compensated in three forms be allocated alternative sites if available and/or given materials to replace their structures affected by the project or paid for such replacements in cash. The PAPs were informed of the different options available during the disclosure process and most well indicated that they would prefer cash compensation. Among the PAPs, the most vulnerable PAPs (widows, orphans, handicapped etc.) will receive special assistance in establishing their replacement land and structures.

Compensation and entitlements will be triggered by particular and specific impacts resulting from the project. Using a holistic approach, these general impacts emanating from the project shall include losses at household and community level (public assets, commercial assets, and communal assets). Losses will mainly fall into the beneath categories:

- Loss of land;
- Loss of assets (structures and agricultural land);
- Loss of livelihood;

The project proponent will establish transparent methods for the valuation of all assets affected by the project as required under the laws of the land. These methods will include consultation with the affected individuals together with their representatives, to assess the adequacy and acceptability of the proposed compensation and to ensure the economic rehabilitation of all the affected people.

Table 19: Eligibility criteria and compensation package

S/N	Category of PAP	Eligibility Criteria	Compensation Package
1	A: Permanent residents, also customary holders of agricultural land	Be recognized by local authorities and the relevant resettlement committee as a permanent resident and a customary holder of agricultural land located in the Project Affected Area at the cut-off date.	Resettlement house of similar or better quality on a resettlement plot (best practice) AND or cash compensation of the lost house at full replacement value; Replacement of lost land by agricultural land of similar potential under similar tenure arrangements near the resettlement site – No cash compensation of land if the household does not choose resettlement. Cash compensation of all immoveable developments such as structures, soil improvement, etc… Cash compensation of standing perennial crops at replacement value and of non-perennial crops at market value Moving allowance if the household vacates the Project Affected Area at a given date; *Livelihood restoration package*
2	B: Permanent residents and tenants of agricultural land	Be recognized by local authorities as a no permanent resident in the Project-Affected Area and as a customary tenant or sharecropper of agricultural land located in the Project-Affected Area before the cut-off date	Replacement of lost land by agricultural land of similar potential under similar customary tenure arrangements anywhere in the Area; Cash compensation of the lost non- permanent house at full replacement value; Cash compensation of all immovable developments on the affected agricultural land, such as structures, soil improvement, etc Cash compensation of standing perennial crops at replacement value and of non- perennial crops at market value; Moving allowance if the household vacates the Project-Affected Area at a given date; Livelihood restoration package

6.4 Entitlement Matrix

The entitlement matrix that follows in table_21 below summarizes the main types of losses as described above and the corresponding nature and scope of entitlement.

Table 20: Entitlement matrix

Category of PAP	Type of Loss	Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
Property Owners	Loss of land	------	The land acquired for the settlement upgrading will be compensated in cash at replacement cost	------	------	Disturbance allowances 5%, registration/ transfer fees Provision of tree seedlings, agricultural inputs, job opportunities and facilitation for health insurance and other government support, etc. to vulnerable PAPs. Capacity building of severely affected PAPs and vulnerable groups to maintain and/or improve their income generation potential. Job opportunities to all PAPs
	Temporary loss of land due to site installation and borrow pits	-----	------	Rental allowances based on annual land output and costs associated with land preparation and crop management	------	Land will be rehabilitated after material extraction and given back to their respective owners
	Loss of structure	Compensation at full replacement value not depreciated, considering market values for structures and materials.		For lost rental income, Lump sum cash payment of 6 months' rent per tenant	Coverage of full cost for total transport expenses	Disturbance allowance & right to salvage materials without deduction from compensation Provision of tree seedlings, agricultural inputs, job opportunities and facilitation for health insurance and other government support, etc. to vulnerable PAPs. Capacity building of severely affected PAPs and vulnerable groups to maintain and/or improve their income generation potential. If need to relocate, relocation assistance (coverage of costs of transport & assistance to find alternative secured accommodation, preferably in the community of residence through involvement of the project)
	Loss of forest Trees	-------		Cash compensation based on type, age and productive value of affected trees		Disturbance allowances Planting of trees in the buffer zone of the developed villages to replace for the removed ones and protect upgraded villages
	Loss of crops (including tree crops)			Cash compensation based on the type, age and market value of the mature crop in the scarce season, whichever is greater.		Disturbance allowance

Category of PAP	Type of Loss	Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
Property lease holders/ Tenant	Loss of rental accommodation			payment of Six months' rent	Coverage of full cost for total transport expenses	Disturbance allowance
	Loss of crops (including tree crops)			Cash compensation based on the type, age and market value of the mature crop in the scarce season, for the remaining period of the tenancy/lease		Disturbance allowances Relocation assistance as a cash allowance to cover income foregone during the period that the PAP is without land; assistance will be equivalent to the value of production lost until replacement crops are yielding the same level. For fruit trees the costs of the yielded per period that the tree will take to mature will be calculated including the future price of the fruits
Squatters / informal dwellers*	Loss of structure	Cash compensation at full replacement cost not depreciated, considering market values for structures and materials.			Relocation assistance (coverage of costs of transport & assistance to find alternative secured accommodation, preferably in the community of residence through involvement of the project)	Disturbance allowance, Right to salvage materials without deduction from compensation Provision of tree seedlings, agricultural inputs, job opportunities and facilitation for health insurance and other government support, etc. to vulnerable PAPs Capacity building of severely affected PAPs and vulnerable groups to maintain and/or improve their income generation potential.
All PAPs (whether owner, tenant or informal dweller)	Loss of assets due to temporary land acquisition	Cash compensation for any assets affected (e.g. houses, fences demolished, trees removed), relocation and construction of new public water taps, water tanks, construction of selling points, etc		For lost rental income, Lump sum cash payment of 6 months' rent per tenant and provision of plot in the selling point to be constructed by the Project	Coverage of full cost for total transport expenses	Right to salvage materials without deduction from compensation, Relocation assistance (coverage of costs of public water taps construction, selling points, etc) Assistance of vulnerable poor people for livelihood reestablishment (ie Provision of tree seedlings, agricultural inputs, job opportunities and facilitation for health insurance and other government support, etc).

6.4.1 Cut-off Date

The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land areas. Normally, this cut-off date is the date the census begins. During public consultations with PAPs, it was communicated that the cut-off date is 04 November 2021, which coincides with the first day when the census begun i.e. socio-economic survey and valuation of affected assets.

6.5 Information and Consultation on mode of compensation

This RAP study assesses the potential positive and negative social impacts of the proposed upgrading of Ngaruyinka project as per the designed project boundaries that could in effect minimize the resettlement and resultant impacts. Here are only addressed the PAPs information regarding their compensation choice. The following steps will be implemented:

- Dissemination of information to the local PAPs at the start of the project on the compensation measures by local authorities, civil society and PAPS committee
- Based on the final enumeration, identification of specific situations by household depending upon the amount of land they are left with (economically and physically displaced).
- The choice of likely options (resettlement site, compensation in cash or in kind) presented to each PAP, when it comes to the head of household of the family and his (her) spouse
- The establishment of a document certifying the information, choice and consent of the head of the family and his (her) spouse on the types, amount and terms of payment of compensation
- Support to the decision of a witness to observe and certify the proper implementation.

All the information process, presentation of the alternatives available to the PAPs until the final choice will be organized in such a way to guarantee to PAPs their Free and Enlightened Prior Consent

During the public consultation meeting and focus groups discussions with PAPs, after being enlighten about the different mode of compensation, cash compensation was the most preferred mode of compensation as shown from findings in figure_21.

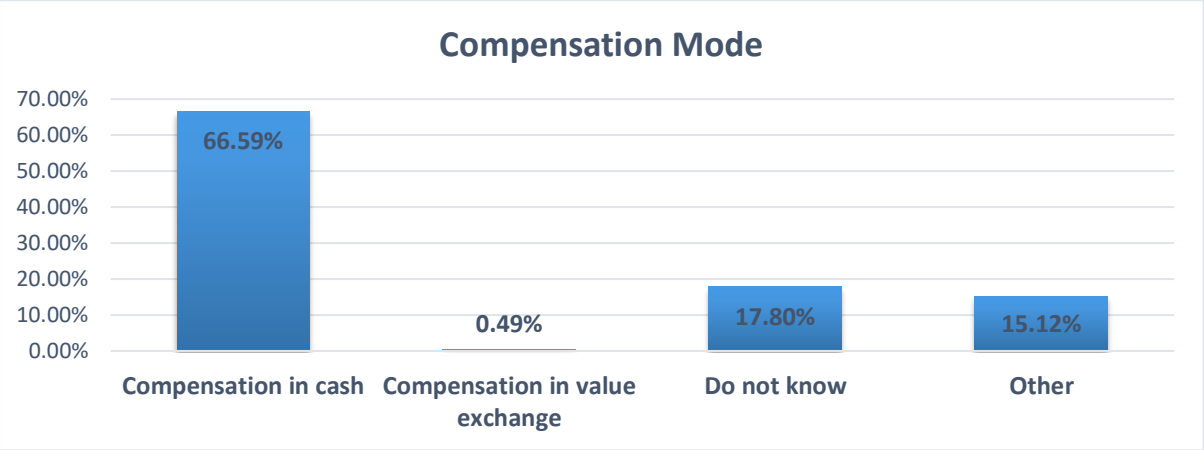


Figure 11: PAPs' compensation preference in the project area

Source: Field survey and Analysis, November 2021

6.6 Implementation of individual compensation

6.6.1 Payment of cash compensation

In line with the above PAPs' preference in terms of mode of compensation, compensation will take a monetary form. The monetary compensation will not be a simple payment without tracking: mechanisms are proposed to ensure that the compensation is used for reconstructing an agricultural capital or starting up of a new business, ensuring the PAPs income restoration to a level at least equivalent.

Since the compensation cash will be transferred to the PAPs bank account, mainly Sector's Sacco Account, the local leadership (Executive secretaries of sector) together with Bank Managers and the recipients will always find a remedial mechanism. The collaboration between local authorities, PAPs, PAPs and bank/SACCO Managers in implementing strategies intended to help recipients use compensation cash with benefit.

Terms of payment
As prescribed in the Expropriation Act of Rwanda, no cash payment will be made: all cash compensation will be paid by check on a bank account opened by the PAP (Article 23). This will have the dual effect of preventing ill-timed expenses and mostly this will secure the household members against all attempts of robbery or assault that possibly could occur.

Opening of bank accounts for PAPs
Some PAPs might not have an active bank account. They will be encouraged to use Umurenge SACCO, as it appears to be quite easy and inexpensive to open one at Umurenge SACCO or a microfinance institution in the respective areas of residence for PAPs.
If the spouses are legally married they receive their compensation on a joint account (Article 25 of the Expropriation Act). It will be advisable to extend this to all households legally married or not.

6.6.2 Transaction costs and land security

All transaction costs related to the land transfer will be borne by the project. In practice, this will concern households that shall be resettled by the project as well as households that buy the land with their compensation money. All land to be purchased by farmers or plots of the resettlement site will be recorded in the Land Office/district one stop centre of respective District (Gasabo) following the proceedings and the costs of registration will have been covered by the project.

There is a possibility to issue a transferable and assignable "land certificate" worth legal recognition. The cost of the certificate will be covered by the project. This should be discussed in the district Council and a decision made by the district provincial authorities before starting the project. This will be a powerful incentive to buy the land for the PAPs. This certificate will be established by the land administration or, more pragmatically, by the "Compensation Commission", which brings together all actors - political, administrative, customary and civil society – and would be best placed to do this. The Commission will indeed intend not only to establish entitlement to compensation / compensation but also to follow the records of PAPs to completion of the process of relocation and resettlement, or purchase of land by the household.

6.7 Valuation and Compensation rates

As per the Expropriation Law, all people affected by expropriation must receive fair and just compensation. The calculation of fair and just compensation is to be calculated by independent valuers. Without prejudice to other laws, the value of land and property incorporated thereon to be expropriated in the public interest shall be calculated on the basis of their size, nature and location and the prevailing market rates.
Our Valuation approach deployed is the Replacement cost approach and the principles are fully in line with the IRPV Valuation reference prices documents and International Valuation Standards and the reference is the prices for land, buildings, trees and crops, the latest version of 2021 as published in the Official Gazette No Special of 01/12/2021. It is annexed to this report.

With regard to the targeted shapefiles of designed area, after processing them using ArcGIS for the purpose of analyzing and identifying plots to be affected; Affiliated table of Assets Registry comprising property detailed value, location of property with province, district, sector, cell, village, affected area, and UPI of which property is from is annexed.
In this regard, the article 22 of the Law N°32/2015 of 11/06/2015 governing the expropriation stipulates that Land values and prices for property incorporated on land consistent with the prevailing market rates provided under this Law shall be established by the Institute of Real Property Valuers in Rwanda.
Adequate compensation rates have been drawn by the proponent based on the prevailing market rates of the affected facility in the RAP document. The established compensation rates have been applied throughout the project components with consistency in the respective project phases with allowances for adjustment for a case of the staggered compensation payments.
Standards and the reference is the prices for land, buildings, trees and crops, the latest version of 2021 as published in official gazette of 01/12/2021, it is annexed to this report.

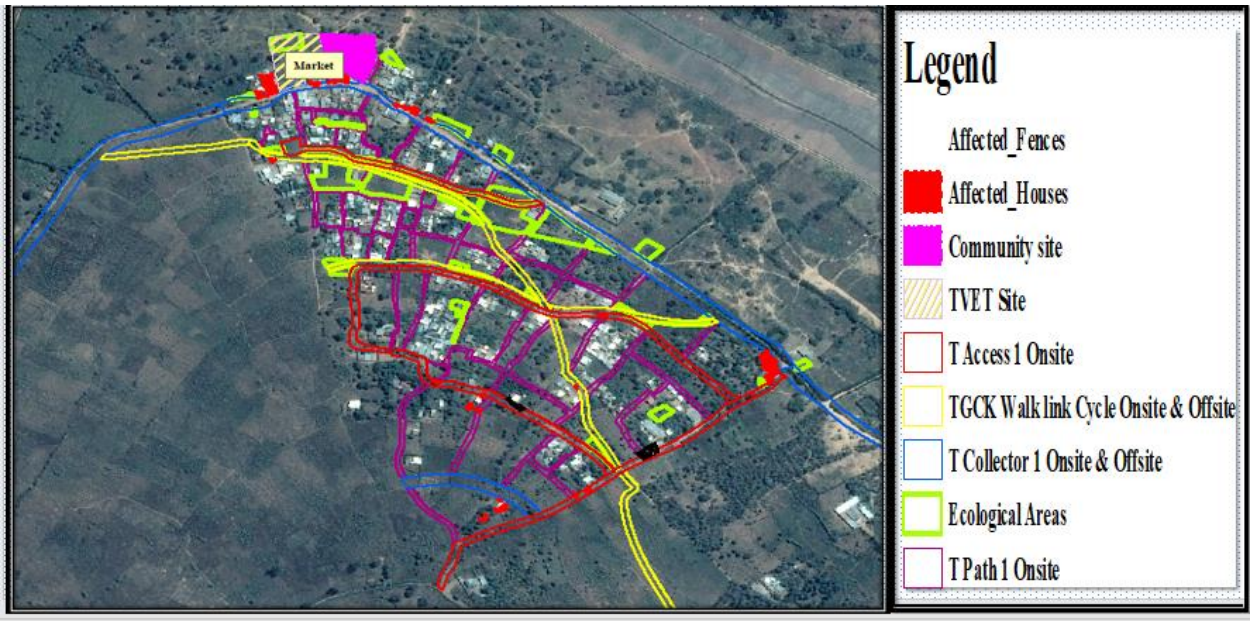


Figure 12: Main Projects Components

Table 21: Area covered per Component

Features	Area covered		People's land covered		Houses and/or Fences affected
	On site area	Off site area	Land onsite	Land offsite	
Ecological Area	0.980		0.980		
T path	1.194		1.144		
T Collector	0.963	4.486	0.479	3.062	27
T GCK	0.571	0.346	0.694	0.346	3
T ACESS	1.012		1.012		2
TVET Site	0.272		0.272		
Community Site	0.249		0.249		1
Total	5.242	4.832	4.830	3.408	
Grand Total (Ha)	10.074		8.238		33

6.7.1 Compensation for Land

This will cover all plots on which all project components are proposed, in regards to the value of the land related to the area, compensation based on the existing market land rates. Above mentioned Official Gazette has a list of the land compensation prices in Kigali city and outside Kigali from district level up to village level, the village level prices depended on the following:

- The IRPV price to be considered for maximum, minimum and or average
- Existing Land use
- Location of land
- Neighboring settlement
- Infrastructures

In summary, the steps used to get the land value

(1) Land location identification: district, sector, cell and village

(2) To determine the size of the land affected

(3) To determine the cost per sqm with reference to Land Prices per location set by the Institute of Real Property Valuers (IRPV) by setting an average price based on the location of the land, land use, neighboring settlement and infrastructure present in the vicinity.

(4) To adapt the cost per sqm of the land computed in (3) and to make the individual file and combine it with other potential assets to be affected if any.

With reference to official gazette NO SPECIAL OF 01/12/202, on page 60, the average cost of Land in Ngaruyinka is RWF 17,033 per sqm. All detailed land values per affected household are on the annex of this report.

Official Gazette n° Special of 01/12/2021

INSTITUTE OF REAL PROPERTY VALUERS IN RWANDA — ORDRE DES EVALUATEURS DES BIENS IMMOBILIERS AU RWANDA

Sector	Cell	Village	Land Use	Minimum Value Per Sqm	Weighted Average Value Per Sqm	Maximum Value Per Sqm
			Plantation	15,377	23,186	51,192
			Religious Facilities	17,368	21,287	36,746
			Wetland	17,368	22,154	36,746
		Rukingu		11,853	21,349	82,348
			Commercial General	21,729	26,276	60,908
			Farm Land (General)	15,125	16,809	63,222
			Low Rise Residential	14,594	20,769	49,991
			Mining	13,754	23,391	30,994
			Plantation	12,853	14,285	82,348
			Vacant Land	14,186	24,125	27,258
			Wetland	11,853	23,786	25,309
	Murama			4,245	22,162	39,548
		Binunga		6,250	24,956	39,548
			Farm Land (General)	6,250	26,793	32,922
			Low Rise Residential	9,567	25,368	31,864
			Plantation	7,060	30,266	39,548
			Religious Facilities	10,289	24,038	29,537
			Wetland	17,368	18,313	36,746
		Birembo		17,368	21,930	36,746
			Farm Land (General)	17,368	21,930	36,746
		Kayenzi		17,368	21,464	36,746
			Farm Land (General)	17,368	20,526	36,746
			Wetland	17,368	22,402	36,746
		Ngaruyinka		4,245	17,666	36,746
			Farm Land (General)	4,245	14,958	24,731
			Low Rise Residential	6,068	17,033	21,419
			Plantation	4,528	15,956	25,261
			Vacant Land	17,368	22,718	36,746
		Rusenyi		6,278	23,967	36,746

Figure 13 Screenshot of the Official Gazette No special of 01/12/2021

The compensation will be done in cash as this was the most PAP's preference and will cover only plots on which both compensated houses are located, together with areas where Sub-stations are planned to be constructed. According to the WB, compensation for land is primarily land for land i.e. the project must look for a similar piece of land under similar conditions and similar size when compensation the loss of land. However, it is expected that, in case of this project, no land loss is expected apart from the plots on which their houses are constructed.

In regard to the value of the land related to the constructed area, compensation will base on the existing market land rates. Standards and the reference is the prices for land, buildings, trees and crops, the latest version of 2021 as published in official gazette NO SPECIAL OF 01/12/2021, is expected to be used for compensation.

Above mentioned Official Gazette has a list of the land compensation prices in Kigali city from district level up to village level.

Table 22: Land compensation rates and value

Project	Quantity of Land (m2)	Average rate in (Rwf/m2)	Total (Frw)
Nyarukinga upgade Project	82,384	17,033	1,403,246,672

6.7.2 Compensation of Trees

Compensation for trees both perennial and seasonal will be done on the basis of the requirements of Rwandan law. Under this law, landowners and leaseholders are entitled to be compensated at market value for land; tenants for crops and property on the land that they rented; property owners for the value of any property on expropriated land.

Some districts have set specific rates for compensation based on local market surveys. In case where the district has not set the crop compensation rates, the compensation rates which have been set by the Government will be used to calculate the compensation value of the crops/trees to be affected by the project.
Compensation for Trees is done based on requirements of Rwandan law and the guidance of compensation guidelines. Under this law, landowners and leaseholders are entitled to be compensated at market value for Crops referring to published reference prices.
Stages adopted to reach the cost for Trees are the following:

- Identification of Trees to be affected
- To count the number of Trees
- Identification of prices from the Crops and Trees reference price provided by the Institute of Real Property Valuers (IRPV) provided in the annex of this report
- Computation of total price by multiplying the number of trees with its cost per tree

The following table shows the most identified trees along the project affected area.
During the survey the total acreage that was under trees/crops within the project area and the following tables (Table_24 and Table_25) show the most identified tree/crops along the two lots their applicable rate.

Table 23: Trees compensation rates and value in the project area

S/N	Type of trees	Unit	Number of Trees	Rate	Total
1	Dracaenas	Pces	53	1,600	84,800
2	Eucalyptus	Pces	697	3,500	2,439,500
3	Medicinal plants	Pces	92	5,000	460,000
4	Avocadoes	Pces	119	20,000	2,387,920
5	Mangoes	Pces	426	10,000	4,260,000
6	Palm	Pces	24	6,200	148,800
7	Gereveliya/ Grevelia	Pces	70	3,500	245,000
8	Molinga	Pces	1	7,500	7,500
9	Guava	Pces	11	10,000	110,000
10	Papayas	Pces	13	10,000	130,000
11	Acacias	Pces	24	3,500	84,000
12	Other Trees	Pces	225	800	180,000
13	Siala	Pces	32	5,000	160,000
14	Sugar Cane	Pces	239	752	179,611
15	Coffee Tree	Pces	59	5,000	295,000
16	Sisal Fibers	Pces	16	950	15,200
17	Sycamore Tree	Pces	10	500	5,000
18	Citron	Pces	2	3,000	6,000
19	Pumpkin seed	Pces	39	500	19,500
20	Orange	Pces	1	3,000	3,000
21	Euphorbia	Pces	9	500	4,500
22	Water Meron	Pces	3	3,000	9,000
Total			**21,165**		**11,234,331**

6.7.3 Compensation of Crops

Compensation for crops both perennial and seasonal will be done on the basis of the requirements of Rwandan law. Under this law, landowners and leaseholders are entitled to be compensated at market value for land; tenants for crops and property on the land that they rented; property owners for the value of any property on expropriated land.
Some districts have set specific rates for compensation based on local market surveys. In case where the district has not set the crop compensation rates, the compensation rates which have been set by the Government will be used to calculate the compensation value of the crops/trees to be affected by the project.
It is to be noted that the calculation of the full replacement value by the government considers not only of the product of the crop over one year, but also the cost of re-establishing the crop (seedlings, soil preparation, fertilizers, others), as well as the lost income during the period needed to re-establish the crop. In all instances, farmers will be given sufficient notice to be able to harvest their mature crops prior to occupation by the project.
Compensation for crops both perennial and seasonal is done on the basis of the requirements of Rwandan law and the guidance of compensation guidelines. Under this law, landowners and leaseholders are entitled to be compensated at market value for Crops referring to published reference prices; tenants for crops and property on the land that they rented; property owners for the value of any property on expropriated land.
Stages adopted to reach the cost for Crops are the following:

- Identification of Crops to be affected
- Identification of the area affected by the crops
- Identification of prices from the Crops reference price provided by the Institute of Real Property Valuers (IRPV) provided in the annex of this report
- Computation of total price by multiplying the total area covered by the crops per the price of the crop per sqm.

Table 24: Crops compensation rates and value in the project area

S/N	Type of crops	Quantity of crops in (m2)	Rate	Total
1	Cassava	2,377	320	760,640
2	Banana	699	150	104,850
3	SoyBean	5,704	200	1,140,800
4	Pasparum	59	180	10,620
5	Casava-vegetables	15	1,200	18,000
6	Spurge enclosure	60	1,500	90,000
7	Colocasia	473	200	94,600
8	Tomatoes	348	800	278,400
9	Pineapple	172	250	43,000
Total		**9,907**		**2,540,910**

6.7.4 Compensation of perennial Crops

Seasonal crops are mainly those that take less than six months to reach total maturity that allows them to be fully harvested and the land cleared, they include maize, cassava, beans, vegetables, sweet potatoes, manioc etc. Considering that the project is at the feasibility stage, these were not considered as PAPs shall have enough time for harvesting. PAPs with seasonal crops will not be compensated for the loss these assets, however, in order to prevent any financial impact or loss of harvest that mainly includes food crops, notice must be provided to all PAPs with seasonal crops within the project area to alert on when to stop cultivating once they have been compensated for loss of land. If they have already cultivated, they must be allowed to harvest their crops prior to start of upgrade construction. PAPs loosing seasonal crops are entitled to the compensation of land where the seasonal crops are grown according to the market value if PAP owns the land.

6.7.5 Compensation for residential houses and other Structures

There are different options for compensating structures on land that will be expropriated. Cash compensation at full replacement value or any other form mutually agreed upon by the expropriator and the person to be expropriated are some of them (Article 35 of the Rwandan expropriation law No 32/2015 of 11/06/2015). During the public consultation meeting and survey, the majority of PAPs preferred cash compensation for their houses. Replacement costs will be based on:

- Sizes of structures and materials used;
- Average replacement costs of different types of structures based on information on the numbers and types of materials used to construct different types of structures;
- Prices of materials used in the structure based on local market rates;
- Transportation costs for delivery of these materials acquired for replacing the structure;
- Estimates of construction of new buildings including labor required;
- Any associated costs including rates, taxes, and registration fees among others.

Stages adopted to reach replacement cost are the following:

(1) Identification of structure to be affected
(2) Inspection with detailed drawing measurements
(3) Categorization of house per construction materials (Durable bricks, Mud bricks, etc..)
(4) Categorization of house per use of the house: residential or commercial
(5) Calculation and computations of replacement earth work, quantity of materials, labour,etc.
(6) Calculation of prices for transportation, materials, labour, and other related costs.
(7) Formulation of individual files (all individual files are present in the annex).

Furthermore, resettlement assistance will be provided in the form of a moving allowance (at full costs of transport expenses). As the Rwanda is implementing grouped settlement, affected people will be offered plots in selected sites for house construction.

The estimation of resettlement houses will be based on the standard size of a village/umudugudu type of houses, with the following ideal characteristics as per the 2013 IRPV reference. The sample the types of houses identified in the project right of way, to be likely affected the project works, and detailed list of PAPs and their properties is appended to this report as annexes.

During the field investigation, 33 houses/fences were identified within the project area and the following tables (Table_26) shows the numbers of houses in the project area and their applicable rate and value.

Table 25: Summary table for affected Houses and Fences

S/N	Project	Number of Houses			Number of House's Households	
1	Ngaruyinka upgrade project	33			32	
Total		33			32	
Houses to be affected by Concentration						
1	ON SITE	25			24	
2	OFFSITE	8			8	
Total		33			32	
Houses to be affected by Type of activity						
		Fence	Residential	Commercial	Residential	Commercial
1	Ngaruyinka upgrade project	7	11	15	17	15
Total		**33**			**32**	

Table 26: House Categorization

No	House Category	Infrastructure	Picture
1	Low Rise Residential	Residential house	
2	Medium Rise Residential	Residential house	

3	Low Rise commercial	Commercial House	
4	Medium Rise commercial	Commercial House	
5	fence	Residential fence	

Each house has a respective file under “Houses and Fences” in the annex part. Below a summary cost

Table 27: Estimated House compensation value

#	Investment type	Existing Use	Number of Houses	PT
1	Mud bricks			
	Low class	Residential	16	55,510,856
		Commercial	8	96,715,526
	Middle class	Residential	-	-

		Commercial	-	-
	Upper class	Residential	-	-
		Commercial	-	-
2	Durable (Bricks)			
	Low class	Fence	7	6,500,000
		Commercial	2	32,560,651
	Middle class	Residential	-	-
		Commercial	-	-
	Upper class	Residential	-	-
		Commercial	-	-
	TOTAL		**33**	**191,287,033**

6.7.6 Project related job opportunities

The implementation of project components may generate employment opportunities thus, it is anticipated that PAPs with required expertise will be prioritized for benefiting those employment opportunities. RTDA and District will ensure that this is done.

6.7.7 Resettlement measures for each category of eligible PAHs

The table below describes resettlement measures accepted for each PAPs category:

Table 28: Resettlement measures and estimated value for each category of eligible PAPs

Item	Unit	Quantity	Compensation measures	Estimated Costs
Houses	Number	33	Financial Compensation	191,287,033
Trees	Number	21165	Financial Compensation	11,234,331
Land	M2	82384	Financial Compensation	1,403,246,672
Total				**1,608,308,946**

7 LIVELIHOODS AND COMMUNITY DEVELOPMENT

7.1 International Best Practices

As per WB ESS5, when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the project will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihood.

In the case of physical displacement, the project will develop a plan that covers, at a minimum, the applicable requirements of the ESS regardless of the number of people affected. The plan will include, among other things, a resettlement budget and implementation schedule, and establish the entitlements of all categories of affected persons. Particular attention will be paid to gender aspects and the needs of the poor and the vulnerable.

In the case of projects affecting livelihoods or income generation, the project's plan will include measures to allow affected persons to improve, or at least restore, their incomes or livelihoods.
Economically displaced persons will be provided opportunities to improve, or at least restore, their means of income-earning capacity, production levels, and standards of living:

- For persons whose livelihoods are land-based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost will be offered where feasible
- For persons whose livelihoods are natural resource-based and where project-related restrictions on access, measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility. Where common property resources are affected, benefits and compensation associated with restrictions on natural resource usage may be collective in nature; and
- If it is demonstrated that replacement land or resources are unavailable, the Borrower will offer economically displaced persons options for alternative income earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance additional to compensation

7.2 Livelihood Restoration Measures

Different restoration packages will be required for each of the various categories of PAPs and will depend on the type and magnitude of loss suffered, the vulnerability level of the households, the indicated preferences associated to their family characteristics and other relevant circumstances.
The Program Management Unit (PMU) with local authorities and NGOs, will verify whether there are complementarities to be established with existing community development programs. The income and livelihood restoration strategies outlined in the following paragraphs have been developed based on good practices and lessons from past experiences. These strategies were also inspired from the consultations with PAP in November 2021 and received generally positive comments.

7.2.1 Land base

As stated in Chapter 6 of this report, there are PAPs whose land is (parcel) will be affected and will receive compensations for their losses of land and crops. The affected households that will lose a piece of land will receive sufficient compensation to have the possibility to buy a new land in the vicinity of the project area. Further investigations paired with experience on similar projects indicate that in most cases it would be difficult and cumbersome for the proponent to find and propose replacement land for different reasons (risk of speculation, administrative burden, PAP lack of trust, etc.). It is thus preferable to propose to the PAPs that they find alternative parcels and liaise with the Project Implementation Unit (PIU). Cash compensation will thus be provided to the PAPs to provide them with an opportunity to purchase new land. However, to limit impoverishment risk, adequate compensation level and implementation conditions are essential. Therefore, PAPs have to be assisted in the following aspects:

- Sufficient time to find and evaluate their option and possible replacement land and organize the resettlement;
- Support for all legal aspects of the transaction;
- All "transaction costs" such as registration fees, transfer taxes, or customary tributes are to be compensated by the Project developer;

- Adequate control of PAPs' use of compensations by Project authorities through different mechanisms like progressive verification of land purchase will be taken.

For farmers who will lose productive land, assistance in the search for new lands, clearing and preparation of these ones (upgrading) and acquisition costs will be considered. Furthermore, the replacement parcel land will be improved (fertilized, tilled, weeded, fenced, etc.) to reach the productive condition of the original land. Affected households will be paid by the Project to do this work as much as possible.
Additionally, technical assistance will be provided for at least a three-year period to help the impacted households improve their situation. The PIU specialist will also ensure coordination with governmental/ District/Sector agricultural departments for the coordination and efficiency of the work. This specialist will assess concerns, needs and the most relevant aspects of livelihood improvement with PAPs and local administration as well as it will propose improvement and support activities.
This help could include the following:

- Practical training courses on improved agricultural techniques
- Improved crop varieties;
- Fertilization;
- Small scale irrigation;
- Animal traction and related equipment
- Post-harvest grain conservation
- Agroforestry, other relevant techniques

Where possible training and services to ensure that the PAPs understand the scope of work could be delivered by an experienced organization providing a permanent presence in the area. Women and other vulnerable groups must be targeted as a specific group of interest, with specific engagement methodologies. To this effect a gender mainstreaming specialist will be included in the PIU and dedicated to women engagement. The specialist will provide necessary guidance to women on RAP's technicalities such as compensation payments, training opportunities, agricultural production programs and other allowances specific to women.

7.2.2 Trees and crops

A total of 21,165 trees and 34,303 pieces of crops have been identified in the project with high risk of being affected by project activities. Compensation to households will be allocated according to the prescribed rates up to a total (see table 23 and 24 for details). The PIU specialist will help the affected households to plant permanent cultures and trees to restore their source of income and livelihoods.
In addition to compensation allowances, PAPs, especially the poorest vulnerable people will be facilitated to get reestablishment of livelihood activities (provision of seedlings, agricultural inputs, and financial credits for equipment, health insurance, etc).

7.2.3 Houses and other structures

As stated in Chapter 6 of this report, houses and other structures that are located in the project area will be affected by project area, leading to displacement. A replacement house must provide to PAPs with minimum, sustainable living standards. The Project will not go lower than this standard. A budget of Frw 191,287,033 has therefore been calculated for a fair compensation per category of the affected structures. All necessary steps will be taken the PIU in charge of compensation and reconstruction follow-up to make sure that the PAPs find a suitable land for reconstruction and enough time for reconstruction and proper compensation is allocated. Again, to reduce the risk of compensation mismanagement and impoverishment of the households, the PIU staff will control the way compensation is spent by the PAPs.

7.2.4 Moving Allowance

The Project shall provide for transportation of PAPs' belongings to their new residential sites within the local community. A moving allowance of FRW 125,000 /HH shall be included in the resettlement package. If no local sites are available, the transport allowance shall cover full costs of the move to the closest available sites that are comparable to the affected plot.

7.2.5 Disturbance Allowance

The Project shall provide a disturbance allowance to cover time lost in addressing moving and other activities associated with resettlement. PAPs will be given sufficient advance notice and requested to vacate the premises. They will get the opportunity to dismantle affected structures prior to Project implementation and they won't have to bear the cost of demolition. Construction materials that PAPs chose to re-use will not be confiscated and they will not pay any fine or suffer any sanction. Remaining structures and unused material will be dismantled by the implementing agency. The disturbance allowance is equivalent to 5% of the compensation awarded for structures.

7.2.6 Vulnerable Groups

A special focus must be given to the livelihood improvement of vulnerable groups prior to the construction of the project. As noted in section 6.7 of this report, vulnerable groups include: By vulnerable, we denote in particular the following:

- People with disabilities (physical or mental);
- Elderly people living alone;
- Households in which the head of household is a child
- Households in which the head of household is a woman
- Widows, widowers and orphans;

Vulnerable households will be consulted at the onset of the operation to evaluate their concerns and needs. Special help that could be provided include, among others:

- Support to open bank account;
- Help for administrative transactions (land titling);
- Relocation logistics and other support for the physically resettled households such as :
  - ✓ Transport assistance;
  - ✓ Reconstruction advice (on materials, type of structures, etc.) to ensure the quality of construction;
- Psychological support (information, counselling, discussion)
- Special transitional funds specific to vulnerable households;
- Priority (through community land use plans) to cultivate the irrigated lands of the command areas.

Members of affected households will also benefit from the proposed training programs. Household members within vulnerable households are to be given priority for the allocation of project related employment and other benefits. In addition, the project team shall ensure that consultations meetings are organized in the vicinity of vulnerable groups, and provide required assistances (transport, appropriate communication channel) to allow their participation

7.3 Livelihood Restoration and Strengthening Program

In addition, the project will have to develop a detailed Livelihoods Restoration and Strengthening Program (LRSP), with specified packages, budget as well as implementation and monitoring arrangements.

7.3.1 Guiding Principles

The development of livelihood restoration programs will be guided by, and is consistent with, the following principles recommended by international best practice:

- **Plan and negotiate livelihood restoration and improvement activities with displaced persons**: Due to the complexity involved in sustainable livelihoods, restoration and improvement activities cannot be a purely technical exercise, but require a high level of interaction with displaced people as well as communal land users in order to develop the most feasible and desirable activities
- **Livelihoods restoration is individual:** The goal is that no person will suffer a Project-induced economic loss. Thus, to the extent possible, restoration activities will be planned to account for each context. Women and men within a displaced household will be considered to have equal entitlement – and equal benefit – to any livelihood restoration activity. If it is determined that individuals or groups of individuals are

unable to access and benefit equally -- within or outside the household -- supplementary activities will be provided

- **Implement pilot activities where possible**: Livelihood displacement may have complex, unpredictable, and, often, immeasurable effects. As such, even lower-risk livelihood interventions are not guaranteed to succeed. Therefore, livelihood interventions should be based on initiatives and practices employed elsewhere in the Project Area and Rwanda. Insofar as possible, interventions that are new to the area will be tested through pilot or demonstration activities. This will enable any potential technical or human issues to be identified prior to full-scale implementation. By basing pilot activities on the actual farms and under the ownership of displaced households, demonstrations can help all displaced persons make more informed choices while creating community-based 'champions' able to educate and support displaced persons to make informed choices of alternative activities
- **Focus on investments rather than direct interventions** – As cash compensation forms a significant portion of the compensation package, livelihood interventions will incentivise the use of compensation funds towards household and community investments that contribute towards livelihood outcomes. International best practice has demonstrated that incentive-based livelihood approaches have greater sustainability than interventions that prioritise in-kind assistance
- **Prioritize the replacement of existing livelihood activities** – Subject to consultations with displaced persons, livelihood mitigation measures have been planned according to the following hierarchy:
  - ✓ **Category 1 – Existing Livelihood Restoration**: Generally, the lowest-risk option is to re-establish existing livelihoods so that displaced persons can continue doing what they know best and what is known to work in the local situation.
  - ✓ **Category 2 – Existing Livelihood Intensification**: For land-based livelihoods, if there is insufficient available replacement land of at least equal quality, in many cases a viable option is to bring about a permanent, sustainable intensification of land use, so that a smaller area of land can be made to produce as much or more than the original land base, net any additional labour or other costs on an ongoing basis.
  - ✓ **Category 3 – Introduction of Alternative Livelihoods**: The substitution of a new type of livelihood (for example, doing business) for an existing one (for example, farming) should only be considered when there is no feasible way of restoring the existing livelihood means.
  - ✓ **Create, foster, and enhance networks with government and existing civil society organisations and stakeholders** – To maximise in-place programme sustainability, it is vital to develop and strengthen social support networks, primarily from government agencies, but also from multilateral agencies and NGOs.

7.3.2 Livelihood Restoration Assistance Packages (LRAPs)

While developing the LRSP, the project will explore further Livelihood Restoration Assistance Packages (LRAPs) to be developed targeting the eligible PAHS. The packages shall be focused on, training and capacity building in on-farm activities. PAPs will be offered start-up capital for their chosen ventures. Further, house-to-house consultations will be conducted with both physically and economically affected PAPs.

The packages shall not mutually exclusive, and some PAHs may find it beneficial to utilize more than one package at any given time. All the packages shall be household-based and will aim to improve the capacity of the affected households to generate income to support their livelihoods. The developer shall conduct dedicated consultations with PAPs to identify the most applicable and suitable packages. The packages under the two main categories can succinctly be described hereunder.

(i) Land-based Category

The package under this category may be focusing on training and capacity building to boost agricultural production in the following areas:

- Poultry farming
- Dairy farming
- Fodder production
- Apiculture (bee keeping)

- Value addition to agricultural produce

(ii) Non-land-based Category

Packages under this category may be:

- Employment opportunities in the project;
- Financial literacy
- Micro-credit schemes
- Training in select income generating activities;
- Social protection programs

The developer shall conduct dedicated consultations with PAPs to identify the most applicable and suitable packages. In this regard, the project shall develop a detailed livelihood restoration plan with specified packages, budget as well as implementation and monitoring arrangements.

7.4 Community Development

7.4.1 Employment and other benefits

The Project will develop a proactive Local Recruitment and Procurement Policy, with a focus on the most impacted households and vulnerable groups. Unskilled and semi-skilled labour will be sourced from PAHs wherever possible. Priority must be given to all able-bodied members of resettled households during the labour recruitment process.

This applies to the following employment and contract opportunities: clearing of the project area; porterage for movement of construction materials to the site, construction of access roads and construction camps, reconstruction of community buildings and houses, provision of services and goods to the workers; administration of the compensation program, monitoring activities, etc.

Furthermore, all the affected households and communities will be given all the wood that is cut on their parcel for their own use or sale. The materials salvaged from the affected structures will also be left to the affected households and communities.

7.4.2 Procurement opportunities

Opportunities for local procurement will also be investigated. The Program will provide training and mentoring support to local entrepreneurs and vendors. All goods and services (sand, cement, food, etc.) must be bought locally when possible. This applies to all contractors and specific provisions to that effect must be included in the construction Terms of Reference.

7.4.3 Community Development Plan (CDP)

A Community Development Plan (CDP) will be implemented in conjunction with the livelihood Programs to help ensure that Project-affected communities (including host communities) share in project benefits to the utmost extent possible.

Although community development and livelihood Programs are very intricately linked, it is critical to distinguish between them. Both livelihood restoration and community development Programs serve essential roles in developing sustainable and resilient communities, but while often complementary, serve different purposes.

7.4.4 CDP Guiding Principles

The development of CDP will be informed by the following guiding principles:

- Support community involvement, empowerment, and ownership: sustainable development is not possible without a sense of local community ownership and empowerment
- Local context: the approach needs to be firmly rooted in the local context in order to have support and overall buy-in
- Long-term orientation: the approach needs to be focused on addressing long-term community-wide challenges

8 TEMPORARY HARDSHIP AND VULNERABILITY

As per social protection policy[18], the key vulnerable groups in Rwanda include low income and/or labour-constrained individuals or households such as older people, people with disabilities, female-headed households etc. Thus, the socio-economic survey and subsequent analysis indicates that there are PAPs who are particularly vulnerable and are at greater risk of further impoverishment because of the implementation of the project. Elderly people, widowhood and divorce hood, people with disabilities (physical and mental), are considered as a vulnerable for this project.

8.1 Vulnerable Groups

Vulnerable people are those based on gender, age, physical or mental disabilities, their social or economic status may be more affected by the loss of land, assets and / or resettlement than other PAPs. They are therefore less able to take advantage of the support and development measures that will be offered as part of the RAP. By vulnerable, we denote in particular the following:

- People with disabilities (physical or mental);
- Elderly people living alone;
- Households in which the head of household is a child
- Households in which the head of household is a woman;
- Widows, widowers and orphans;

8.1.1 Specific risks for Vulnerable People

The main risks associated with the implementation of any project affecting the lives of people because of the loss of land and loss of their homes is:

- Become landless
- Become unemployed
- Become homeless
- Deterioration of living conditions level
- Food insecurity / malnutrition
- Social disintegration by breaking the bonds of solidarity

These risks weigh more than proportionally to certain categories of the vulnerable persons.

8.1.2 Vulnerable Persons Identification

Vulnerability has been determined on a household basis, initially determined through asset and socio-economic survey analysis. The assessment has identified a number of vulnerabilities within the surveyed households. As such the table_30 below shows the number of vulnerable among the PAH as per vulnerability factor.

Table 29: Number of vulnerable among the PAH as per type of vulnerability

SN	Type of Vulnerability	Number	%
1	**Living with disabilities**	**17**	**3.85**
2	**Orphans**	**0**	**0**
3	**Aged People**	**179**	**40.59**
4	**Widow/er**	**114**	**25.85**
5	**Child head of HH**	**0**	**0**
6	**Women head of HH**	**131**	**29.71**
Total		**441**	**100**

The field survey done revealed that vulnerable group (people with disability, households headed women and elderly people, widow/er) are 441 PAPs representing 27.14 % of the estimated PAPs (1625PAPs). The poorest vulnerable groups will be given the option to select any training they wish, which would help them to maintain and/or improve their income generation potential.

[18] MINALOC, Social protection Policy, June 2020

8.1.3 Vulnerability Management

The Temporary Hardship Assistance Program goal will be to provide a safety net until vulnerable households can become self-sufficient and resilient to economic stresses resulting from land access and resettlement. For that reason, therefore, measures specifically targeting these groups to prevent falling into extreme poverty should be adopted. These measures consist in the accompaniment that will take several forms.

Advisory support at all stages of resettlement and compensation to these persons will be provided: trading, payment and moving. It must be ensured that these Vulnerable Persons can fully participate in various programs of restoration and improvement of the living conditions that will be implemented, in terms of training, experience sharing, micro-credit, and be ensured that the concerns, claims, complaints that they can make against the Project or other institutions within the framework of resettlement, compensation and restoration, are duly considered.

In addition to compensation allowances, the poorest vulnerable people will be facilitated to get reestablishment of livelihood activities (provision of seedlings, agricultural inputs, and financial credits for equipment, health insurance, etc). The project will also work with the district to ensure that vulnerable people within the subproject area are included among the vulnerable groups getting government support for their livelihoods.

In addition, the project team shall ensure that consultations meetings are organized in the vicinity of vulnerable groups, and provide required assistances (transport, appropriate communication channel) to allow their participation. The skills training program will be designed during project implementation. The following measures will be implemented according to the listed needs and demands of vulnerable people and their households:

Table 30: Actions recommended for livelihood restoration of the vulnerable PAPs

S/N	Livelihood restoration options	Description	Comment	Time frame
1	Assistance in the negotiations for compensation	The project team will proceed for verification that the choices are freely made so that these people are not influenced or marginalized by the rest of the family members.	This will ensure that vulnerable groups among the PAPs are provided with fair compensation	During the compensation period
2	Assistance in all procedures related to the payment of compensation	The project will ensure that necessary assistance is provided. For example, help with the opening of the bank account, help to secure the withdrawal of money to buy land, land registration procedures ...).	This will ensure that vulnerable groups among the PAPs are provided with all necessary assistance during compensation	During the compensation period
3	Access to medical insurance	The project will closely work with local administration to ensure the vulnerable PAPs receive medical insurance	This will ensure continued physical health to the PAPs	First 6 Months of the project implementation
4	Off Farm Training	Provide training to earn income in non-agricultural work, provision of and facilitation to access financial credit for equipment	This will open up new options for the PAPs to start other income generating activities	First 6 Months of the project implementation
5	Improved Agriculture	Provision of tree seedlings, agricultural inputs, training to generate more production of subsistence crops and produce cash crops		First 6 Months of the project implementation
6	Option of other trainings of PAPs choice	Severely affected PAPs and those from vulnerable groups will be given the option to select any training they wish, which would help them to maintain and/or improve their income generation potential. The skills training program will be designed during project implementation		First 6 Months of the project implementation

9 GRIEVANCE MANAGEMENT AND REDRESS MECHANISMS

9.1 Complaints Procedures

The Article 33and 34 of the Expropriation Law N° 32/2015 of 11/06/2015 provides complaints procedures for individuals dissatisfied with the value of their compensation. Article 33 of the expropriation law stipulates that, within seven (7) days after the approval of the valuation report by the expropriator, any person to be expropriated who is not satisfied with the assessed value of his/her land and property incorporated thereon shall indicate in writing grounds for his/her dissatisfaction with the valuation report. However, for record, the following mechanism may be adopted.

- Registration of the complaint, grievance or dispute case by the District Grievance Redress Committee (GRC);
- Processing of the grievance or dispute until closure is established based on evidence that acceptable action was taken by GRC; and
- In the event where the complainant is not satisfied with action taken by GRC as a result of the complaint, an amicable mediation can be triggered involving a mediation committee independent from the Project.

9.1.1 Grievance Redress Mechanisms

Grievance Redress Mechanisms will be required to ensure that project affected people (PAPs) are able to raise complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures also ensure that the entitlements are effectively transferred to the intended beneficiaries. All stakeholders will be informed of the intention to implement the grievance mechanism, and the procedure will be communicated before the starting of civil works.

The Grievance Redress Mechanism is one of the strategies that are put in place to monitor and resolve complaints that may arise during or after the Project implementation by the affected people.

(a) Established procedures for Grievance Redress Mechanism

The Grievance Redress Mechanism (GRM) ensures that complaints are received, reviewed and addressed by the elected Grievance redress committee.

The Grievance committee will be elected by the Project affected people during the second consultation meeting to be held between the District officials, Project representative and the project affected people. The elected committee is based at the cell level and is made up of at least 7members. PAPs will select and vote for 3 candidates (President, Vice president and women and vulnerable representative); the Village leader is selected by the cell executive secretary and the PAPs, the social and environmental officers from the Contractor, Project and supervising company are also part of the elected committee.

All grievances concerning non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation shall be addressed to the subproject GRC and resolved in coordination with the District Administration. In practice, grievances and disputes that are most likely during the implementation of a resettlement program are the following:

- Misidentification of assets or mistakes in valuing them;
- Disputes over plot limits, either between the affected person and the Project, or between two neighbors;
- Dispute over the ownership of a given asset (two individuals claim to be the owner of the same asset);
- Disagreement over the valuation of a plot or other asset;
- Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset;
- Disagreement over resettlement measures, for instance on the location of the resettlement site, on the type or standing of the proposed housing, or over the characteristics of the resettlement plot; and
- Disputed ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements;
- Dispute over offsite impacts (for instance, runoff water from the site causing downstream damages)

(b)Grievance resolution approach

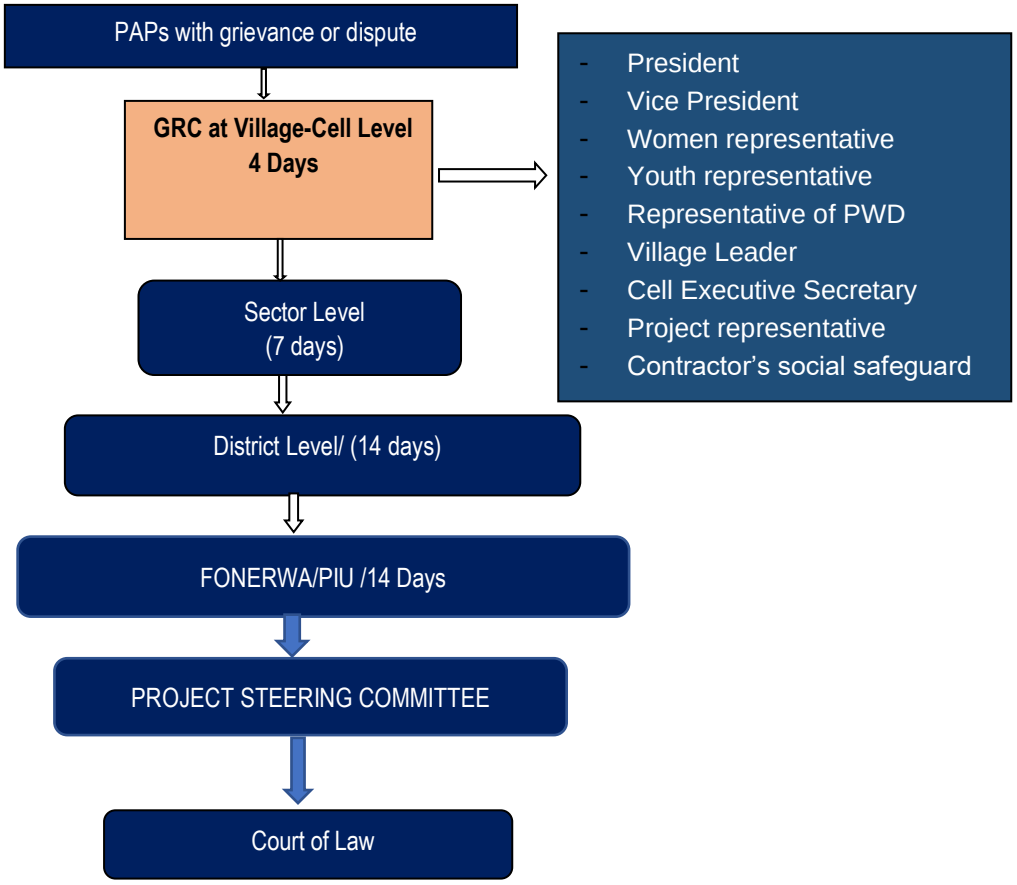
It is encouraged to resolve the issues at Cell and Sector levels, as they are so close to the affected communities, aware of and involved in the whole process. The unsolved grievance at the cell level can be referred to the sector and the District committee.

The relevant local administration will then attempt to resolve the problem (through dialogue, negotiation and mediation) within 30 days of the complaint being lodged. If the grievance is not resolved in this way, the dissatisfied party can refer the matter to the competent court. Local courts should be used. If not resolved, then the high court or court of appeal of Rwanda remains an avenue for voicing and resolving these complaints.

FONERWA/ GCK Project /CoK/District will follow up the aggrieved PAP at each level to ensure that the grievances are resolved.

The channels of receiving complaints include presentation of complaints via face to face meetings, written complaints, telephones, email communication, third party (e.g., farmers' organizations, Church, private sector, etc). The figure below presents the grievance or dispute resolution process by showing each step to be followed and responsible actors.

Figure 14: Proposed GRM structure



Complaints related to GBV are directed to the Isange One Stop Centers (IOSC). IOSCs are specialized free-of-charge referral centers where GBV survivors can access comprehensive services such as: medical care; psychosocial support; police and legal support, and collection of legal evidence. IOSCs work closely with community police stations, sector, cell and village leaders and hospitals and health centers across the country.

The project safeguards staff will work closely with the woman representative in the GRC to ensure that GBV complaints are well handled and reported through the right channels and refer the victims to them as required by the law.

The elected GRC members will receive training from Isange One Stop Centre on how to handle and channel GBV cases and will also participate in the awareness campaigns on GBV, SEA, SH and VAC around the project intervention areas.

(c) Grievance Log

The Grievance Redress Committee (GRC) will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed. The log will contain record of the person responsible for an individual complaint, and records dates for the following events:

- Date the complaint was reported;
- Date the Grievance Log was added onto the project database;
- Date information on proposed corrective action sent to complainant (if appropriate);
- The date the complaint was closed out; and
- Date response was sent to complainant

(d)Monitoring Complaints

FONERWA/ GCK Project /CoK/District Project team will be responsible for:

- Providing the sub-project GRC reports on a bi-weekly basis detailing the number and status of complaints;
- Any outstanding issues to be addressed; and
- Monthly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.

Transport and communication incentives and capacity building of Grievance Redress Committee is estimated at **4,700,000 Rwandan francs**.

Table 31: Budget estimates for transport and communication

Lot	UP/ meeting	#of meetings per month	Period /months	# GRC set up	Members per 1 grievance committee	Total amount to be paid
Lot 1	5000	2	27[19]	2	5	2,700,000
	CRC capacity building		LS	2	5	2,000,000
Total						**4,700,000**

9.1.2 Proposed Grievance Management Committee

A number of committees will be established at different tiers/levels, starting from the community level up to national level to manage grievances, as highlighted in figure_25 below.

Figure 15: Proposed Grievance Management Committees



(a) First Tier Grievance Management Committee at Community level

[19] This period is indicative, it can be adjusted based of the exact duration of the project.

It is proposed to elect a committee to be based at the cell level and made up of at least 7members. The PAPs will select and vote for 3 candidates (President, Vice president and women and vulnerable representative); the Village leader is selected by the cell executive secretary and the PAPs, the social and environmental officers from the Contractor, Project and supervising company are also part of the elected committee. The committee shall meet twice a month, and the project shall provide transport and communication incentives for grievance redress committee.

(b) Second tier: Resettlement Compensation Committee

The second tier will cover grievances, which will not be resolved at the first-tier level and others, which may come straight to them from the PAPs. During their regular meetings, and after the consideration of the escalated grievances, the Resettlement Compensation Committee will propose their solutions to the complainants. These solutions, if agreed by both parties, will be binding and final for both RTDA and the complainant(s).

(c) Third Tier: Resettlement Implementation Unit at FONERWA/ GCK Project

The third tier consists of the members responsible for the implementation of the RAP in FONERWA/ GCK Project. These will handle all grievances that are not handled at the second tier. They will also handle grievances brought directly to them by the PAPs.

(d) Fourth Tier: The Steering Committee

This tier consists of members representing different organizations at National level. They come in intermittently to solve or advice on any issue related to their mandate. They can also be called upon at any level of the Grievance Management System to advise and/or act on matters related to their activities. They include the following:

- FONERWA (Chair)
- MoE
- Ministry of Local Government (MINALOC)
- Ministry of Finance and Planning (MINECOFIN)
- CoK
- GCK Project
- District representative

Where the settlement cannot be reached at any level of the Grievance Management System, either the complainant or FONERWA/ GCK Project can resort to the judicial system/Court.

9.1.3 RAP disclosure

After final approval, FONERWA/ GCK Project will disclose this RAP through its website, and by making copies available at its head office and in District/ Sectors/ Cell where the project is situated. The copies shall also be made available to the different government's agencies, and other stakeholders.

10 RAP MONITORING

A Monitoring and Evaluation (M&E) program are required to be developed to provide feedback to project management which will help keep the programs on schedule and successful. Monitoring provides both a working system for effective implementation of the RAP by the project managers, and an information channel for the PAPs to assess how their needs are being met.

10.1 Principles

Arrangements for monitoring and evaluation are to ensure, firstly, that the proposed actions are implemented in the manner and within the time limits, and, secondly, that the expected results are achieved. When deficiencies or difficulties are observed, monitoring and evaluation are used to initiate appropriate corrective action.

The main objective of the Resettlement Action Plan is to ensure to PAPs living standards and conditions equivalent or better life that they knew before the project. Thus, monitoring and evaluation of the actions proposed in the Resettlement Action Plan should focus primarily on achieving this goal. We distinguish the internal evaluation monitoring to be conducted by the SEA and the external evaluation that will be carried out by the Environmental and Social Monitoring Mission (described in the ESIA report).

10.2 Supervision

Check that, especially at the start of the RAP, its detailed specifications are designed and that its implementation is carried out in accordance with the RAP validated.

10.3 Monitoring

The monitoring will consist of the following:

- Check that the ongoing RAP work program and budget are executed according to plan;
- Check continuously if the quality and quantity of the expected results are obtained in a timely manner;
- Identify any factors and unanticipated changes that may affect the RAP organization, the definition of its measures to reduce the effectiveness or present opportunities to develop;
- Send in a timely manner to the responsible concerned authorities, corrective measures under ordinary or exceptional programming procedures.

10.4 Evaluation

The evaluation will:

- Establish and interpret the reference situation of the affected population before the start of the project in terms of the socio-economic and health conditions (the census conducted in the framework of this mandate has developed baseline);
- Define, at regular intervals, some or all of the above parameters in order to assess and understand the changes.
- Establish at the end of the project, a new baseline for assessing the RAP impacts in socio-economic and health terms.

Analyse, programmatically or in response to the findings of monitoring / evaluation, some elements of the human environment and measures to improve the RAP effectiveness.

10.5 Internal evaluation monitoring

10.5.1 Principles

Internal monitoring of the RAP implementation is a responsibility of the FONERWA/GCK project. It is to continuously ensure that the actions included in the work programs are executed on time and on budget.

The internal monitoring will be determined by the work programs of the FONERWA/GCK project and by the contracts of subcontracting providers. These documents define the tracking objects of qualitative, temporal, quantitative, budgetary performance indicators used for such monitoring.

Indicators for each RAP phase (preparatory phase before displacement, implementation phase of displacement and resettlement phase, post-resettlement phase) should be discussed with the stakeholders and relevant institutions. The views of PAPs and their representatives will be part of the monitoring system.

They will attract the attention of FONERWA/GCK project on the validity and especially the acceptability of proposed measures in the context of the project area. An expert in monitoring and evaluation will be recruited to develop the internal monitoring program to FONERWA/GCK project.

10.5.2 Monitoring indicators

In the monitoring exercise, global monitoring indicators will be identified and used. Illustratively, they will include the following:

- Number of households and people to be affected by the project activities,
- Number of households and people to be physically displaced by the project activities,
- Number of households and people to be resettled by the project,
- Total amount of compensation to be paid.
- Number of complaints, nature of complaints

In addition, the socio-economic indicators will be established and followed for a sample of PAPs in different areas of action or components, for example:

- Average level of life (restoration of consumption and monetary income)
- Breakdown of average household expenditure
- Number of beneficiaries of various aspects of the restoration project

On the housing and land resettlement sites, indicators related to livelihoods will be followed, for example:

- Quality of buildings (cracks, gutters, etc.)
- Access of the relocated persons to pure drinking water, education, health,
- Yields of the fields;
- Replacement rate of fruit trees after 2 years
- Evolution of the people who kept the same activity
- Rate of those who changed jobs

10.6 External evaluation monitoring of the RAP implementation

This evaluation will follow both the RAP as well as the ESMP implementation. It will be provided by two organizations.

10.6.1 The environmental monitoring missions

Environmental monitoring (or monitoring) consists in observing the evolution of the components of natural and human environments potentially affected by the project to ensure that the measures taken are effective. This monitoring will be based on a scientific, quantitative and qualitative approach; the elements of monitoring must be measurable by recognized methods.

The monitoring mission shall be free of any conflict of interest. It is therefore recommended that the mission is technically liable to the services in the ministries for environment and socially to the local political authorities (deputation / parliament) and civil society.

This mission will be entrusted to a consultancy bureau located in the area and recruited by tender. It will include experts with different profiles depending on the themes to be assessed. The monitoring mission will take place from the start of the work and its duration will extend to the entire construction phase duration, and two years after, convening twice per year.

The reports issued at the end of these missions will be for local authorities, civil society, the central environmental authorities and members of the MMC whom this mission will report to (all recipients actors are

members of the commission, but the information must be known at the directorate level and not only to the members of the commission due to the geographical distribution of these institutions).

10.6.2 Multipartite Monitoring Commission (MMC)

Multipartite Monitoring Committee (MMC) will be composed of ten members from the entities involved in the project, representatives of local authorities, representatives of relevant ministries, representatives of people and representatives of NGOs and civil society.

Multipartite Monitoring Committee will meet twice a year to monitor the implementation of the ESMP and RAP. It will have quarterly access to the environmental and social monitoring reports of the monitoring mission, and may summon special meetings when necessary. The commission may also provide support for the effective management of potential conflicts of interest between the various project stakeholders.

10.7 Participation of the PAPs in monitoring and evaluation

The PAPs will participate in monitoring / evaluation in different ways:

- Collection of simple data concerning their activity.
- Participation of representatives of PAPs meetings on programming, monitoring and evaluation, including through their local PAPs Committee.
- Participation of the PAPs Committee in meetings from the development of work programs and the evaluation of the previous program.
- Inquiry of FONERWA, of the Mission of Environmental and Social Monitoring in case of dissatisfaction vis-à-vis the implementation of the RAP and methods for the operator intervention.
- Participation of PAPs representatives to the reception of investments concerning them.
- Opinion surveys in the evaluations.

A program of participatory monitoring and evaluation will also be developed by the expert on the basis of monitoring data. This program will complement more the quantitative monitoring program mentioned above. This program has the immense advantage of PAPs closely involved as key actors in their assessment, the development of indicators relevant for them and collecting data.

This type of participatory monitoring and evaluation is essential to the PAPs capacity building and their organizations tool. It is also key tools to help them identify their measures that are the most appropriate for the restoration of their living conditions and to improve them.

11 ORGANISATIONAL FRAMEWORK

The developed resettlement action plan shall be implemented under a certain institutional arrangement which will be reflected in the whole project institutional set up.

11.1 RAP implementation institutional framework

While the project results from combined efforts by several institutions supporting green growth in Rwanda including the Ministry of Environment, Ministry of Infrastructure, Rwanda Environment Management Authority, City of Kigali, and the Rwanda Social Security Board among many others, the RAP implementation shall be overseen by FONERWA, with the same spirit of combined efforts.

During RAP implementation FONERWA/ GCK Project will play a key role in holding consultation meetings, approving the list of people to be affected by the project, disclosing RAP and compensation payments, following up the resettlement and compensation planning, implementation and monitoring.

At the local level, all districts' authorities of the line route will play a critical role in supervising the project resettlement and compensation planning, implementation and monitoring. The key actors on the ground involved in implementation will be the individual project Resettlement and Compensation Committees members, which will comprise representatives from FONERWA/ GCK Project and at Sector and Cell level. This Committee will coordinate the implementation of RAPs as well as develop and implement consultation and grievance mechanisms via the district authorities and project coordinator. The main executing agency FONERWA will work in close coordination with Ministries and agencies at the National, mainly CoK, Gasabo District and Local levels for co-ordination as discussed below.

11.1.1 MoE

The Ministry of Environment (the accredited entity) will lead in the overall management, reporting and supervision of the project with GCF.

11.1.2 FONERWA

FONERWA is the primary vehicle through which environment and climate change finance is channeled, programmed, disbursed and monitored, and therefore FONERWA will execute the project (executing entity).

The overall coordination of the implementation of the RAPs will be provided by the PMU through its specific PIU, which will oversee all resettlement planning and coordinate all issues relating to the compensation. Operationally, the PIU will implement the RAP, which will be considered as a specific RAP implementation unit.

11.1.3 Programme Management Unit (PMU)/ Project implementation Unit (PIU)

FONERWA will establish a Programme Management Unit (PMU) that will be housed within the Fund Management Team of FONERWA, and the later shall establish a specific Project Implementation Unit (PIU), which will specifically deal with the RAP implementation.

The project activities and funding will be programmed through the PMU and RAP implementation shall be dealt with RAP implementation Unit (to be considered as a Project Implementation Unit in this context). Both the PMU and the RAP implementation unit will be staffed by professionally and technically qualified staff who hold experience with managing projects in the sector, and specifically RAP implementation. These staff will be selected and recruited following FONERWA's procedures.

The project PMU will be supplemented by a number of RAP implementation experts – providing either full time or part time inputs - to ensure that obligations on MoE/FONERWA (its implementing entity), especially with regard to the RAP implementation, can be met. The PIU will ensure collaboration with other government agencies as appropriate as well as with Project Area Local District Authorities, NGOs, and CBOs who will assist with implementation.

The PIU will collaborate with other government agencies as appropriate and Local District Authorities falling within the project area who will assist in coordination and implementation.

11.1.4 CoK/ District, Sector and Cell Authorities

The CoK, Gasabo district, Kinyinya Sector and all concerned cells and villages will play a determinant role in a number of aspects, including: stakeholder consultations, review and sign off all documentation (e.g. compensation agreement, compensation report), facilitate compensation payment transfer through PAPs' bank/ Sacco account, verification of Land, trees, crops and other asset valuation, Land transfer, participation in the establishment of livelihood restoration plan and Monitor proper RAP implementation as well as livelihood restoration of the PAPs.

An institutional matrix has been prepared in this RAP for an effective implementation of the Resettlement Action Plan as reported in Table_33 below.

Table 32: Summary of Roles and Responsibilities of different institutions and units

S/N	Institution/Unit	Roles and Responsibilities
1	**MoE**	• The Ministry of Environment (the accredited entity) will lead in the overall management, reporting and supervision of the project with GCF; • Work closely with FONERWA to facilitate resettlement process and ensure it meets national land ownership and use legislation • Oversee resettlement and compensation process for land resources • Review land title documentation and ensure it meets all land legislative requirements
2	**FONERWA/ GCK Project**	• Planning the project activities; • Receiving funds from the Accredited Entity; • Disbursing grant funds to third parties, after due diligence • Establishing and staffing the Project Management Unit in FONERWA; • Accounting for funds under its disposition, receiving reports from entities to which funds have been disbursed • Preparing annual workplans and budgets; • Organising oversight and audit (internal, financial, procurement); • Managing the provision of funding and payment of contractors and consultants engaged under the Project • Preparation of the Stakeholder Engagement Plan • Preparation of the Livelihood restoration Plan
3	**PMU/PIU/ GCK Project**	• Oversee RPF/ RAP implementation • Oversee PAP RAP Committee (PRC) formation • Identification of affected families and land asset inventory of the Project Affected People (PAPs); • Verification of PAPs • Compensation Agreements • Prepare and update resettlement-related documentation to ensure RPF consistency and compliance • Provide all compensation packages as per RAP • Provide livelihood and vulnerable assistance measures • Overall resettlement implementation monitoring and evaluation (i.e. annual audits and review of sub-project level monitoring by affected districts) • Preparation of the Stakeholder Engagement Plan • Preparation of the Livelihood restoration Plan • Monitoring and Evaluation
4	**CoK/ District Authorities**	• Assist in stakeholder consultations • Review and sign off all documentation (e.g. compensation agreement, compensation report) • Transfer of land after payment of compensation

S/N	Institution/Unit	Roles and Responsibilities
		• Transfer compensation payments to PAPs • Participation in the preparation of the Stakeholder Engagement Plan • Participation in the preparation of the Livelihood restoration Plan • Verification of valuation report of Land, crops, trees and other assets • RAP implementation participation • Monitor proper RAP implementation
5	**PAPs**	• Engage in project consultation forums • Participate in asset measurement and sign-off • Participate in monitoring and evaluation
6	**Sector Agronomist**	• Land measurement • Land valuation • Crops and trees valuation • RAP implementation participation
7	**District Land Commission and Sector/ Cell Land Committees**	• Interface with District Land Bureau as mandated by revised Land Law • Public Awareness, including extensive PAP consultation • Approval of land use changes at District/ Sector/ Cell level and ensure Land Use Master Plan alignment • Approve land expropriation • Provide information on current land use, land tenure • Ensure grievance mechanisms meet legislative requirements
8	**District One stop Centre**	• Coordinate, supervise and approval of land use changes at District/ Sector/ Cell level and ensure Land Use Master Plan alignment • Coordinate, supervise and approval of land transfer,
9	**Local Resettlement Committee**	• Public Awareness • RAP development and implementation, including assistance during resettlement and effective PAP consultations • Coordinate monitoring information collation activities (such as surveys, sign-off) in accordance with procedures established by district authorities • Elect Committee representative to act as Project Liaison Officer with regular PAP contact and the ability to lead consultation, public participation, and grievance mechanisms
10	**Land Adjudication Committee**	• Management of land ownership conflicts and grievances relating to expropriation

11.2 Community Involvement

An effective RAP implementation will require a high level and coordinated community involvement. While the community involvement will build on existing community forums such as women representatives, representatives of youth, PWD, additional committees are suggested for and effective coordination of RAP activities at the local level levels. Three committee types with unique roles and responsibilities (Table 32**Error! Reference source not found.**) will be in place:

Table 33: Suggested Project Committee Membership and Responsibilities

Committee	Membership	Role/Responsibilities
District Task Forces	• Vice Mayor • Economic Department • Legal Officer • Land Valuer • Infrastructure Department • Social Affairs Officer • Environmental Officer • Executive Secretary of Involved Sectors	• Implementing bodies for district-level RAP-related activities; • Direct partners to the Project Implementation Unit, • Lead livelihood restoration Programs
Local Resettlement Committee	• Land Manager - Sector Level • Agronomist - Sector Level • Executive Secretary of the Involved Cells • Village Leaders of the Involved Villages • PAP Representatives: 3 per village, at least 1 female, 1 vulnerable	• Compensation and sign-off process participation • Household-level vulnerable people identification
GRC (mainly formed from PAPs)	• President • Vice President • Women representative • Village Leader • Cell Executive Secretary • Project representative • Contractor's social safeguard	• Cell-level grievance mechanism participation • Receive compensation complaints; • Liaise with relevant authorities/ project delegates on unsolved compensation issue • Monitoring procedures involvement

12 RESETTLEMENT BUDGET AND IMPLEMENTATION SCHEDULE

12.1 Principles

In event of loss occurring to an individual in terms of all type of properties, crops, land, and facilities, results into compensation and budget for it. The article 3 (2) of the law N°32/2015 of 11/06/2015 governing expropriation stipulates that he or she should receive just compensation for it.

This entitlement is based on the figure arrived at by an accredited Institute of Real Property Valuers in Rwanda.

Article 4 of this law also stipulates that any project which results in the need for expropriation for public interest shall provide for all just compensation in its budget. Through mutual arrangement, both parties can determine the mode of payment. In this context, the project developer will have to secure both compensation budget as well as all cost associated to RAP implementation and monitoring.

Article 35 of the Expropriation Law provides that through an agreement between the person to expropriate and the one to be expropriated, just compensation may either be monetary, alternative land or a building equivalent as long as either option equates to fair and just monetary compensation. In case the determination of 'just' compensation exceeds in value the alternative land given to the expropriated person, the difference will be paid to the expropriated person. In this context, based on PAHs' preferences, monetary compensation will be used for the payment of affected properties in the project area.

12.2 Budget components

The RAP budget covers all types of properties to be affected by the project associated with other cost related to measures of livelihood restoration, RAP implementation and monitoring and evaluation costs. For this RAP, the budget shall mainly comprise of the following:

- Compensation of land, houses, crops, trees;
- Accompanying measures for all PAPs
- Transition compensation for physical and economic displacement
- Measures for vulnerable PAPs
- Disturbance allowances
- Implementation costs
- M&E costs

Table 34: RAP estimated budget

S/No	Impact Description	Unit	Quantity	Frequency	Rate	Total (RWF)
A	**Compensation for Loss**					
1	Loss of Land	Sqm	82,384	Once	17033/m²	1,403,246,672
2	Loss of Crops	Sqm	34,303	Once	Determined per category (see table 17)	2,540,910
3	Loss of Houses	Number	33	Once	Determined per category (see table 18)	191,287,033
4	Loss of Trees	Number	21165	Once	Determined per category (see table 16)	11,234,331
5	Accompanying measures for all HHs affected (both economically and physically)	Number	411	Once	1,25000/HH	51,375,000
6	Transition compensation for physical and economic displacement	Number	411	Once	125,000/HH	51,375,000

S/No	Impact Description	Unit	Quantity	Frequency	Rate	Total (RWF)
7	Measures for vulnerable PAPs	HH	78	Continuous	LS	15,600,000
8	Livelihood restoration for PAPs and displaced	Households	411	Continuous	LS	20,550,000
SUB-TOTAL A.						**1,747,208,946**
Disturbance allowances				**Once**	**5%**	**87,360,447**
SUB-TOTAL A.						**1,834,569,393**
B.	**Implementation Cost**					
1	Operationalization studies of the RAP				LS	5,000,000
2	Complementary census				LS	5,000,000
3	Compensation committees				LS	10,000,000
4	Transport & Communication for 2 grievance redress committees	Meeting	-	Continuous	5000/member	4,700,000
5	GRC Capacity building	Training	-		LS	2,000,0000
SUB-TOTAL B.						**34,700,000**
C.	RAP Monitoring and Evaluation				LS	10.000.000
SUB-TOTAL C.						**10,000,000**
Total A+B+C						**1,879,269,393**
Contingencies (10%)						**187,926,939**
Grand Total						**2,067,196,332**

12.3 RAP Implementation Schedule

12.3.1 Preparation and Surveying

During the RAP preparation, the first activity was the operationalization of the Upgrade of Ngaruyinka project. In this regard, the client developed the ToRs and through the consultant has commissioned Eco Design & Protection Ltd to undertake the Environmental and Social Impact Assessment for the settlement upgrading project and prepare a Resettlement Action Plan (RAP).

In this regard Eco-design experts investigated on the number of PAPs, their socioeconomic conditions and their properties located in the project boundaries. All stakeholders (local administrative and community representatives at district, sector, cell and village level, church leaders, cooperative leaders, etc.) have been involved through public consultation, and shall be invited to play a role in determining the elaboration of detailed Livelihoods Restoration and Strengthening Program (LRSP).

12.3.2 RAP dissemination

After the RAP preparation and approval of this RAP, a detailed RAP will be undertaken. At this specific step, detailed information about the PAPs will be availed. These information about PAPs will be disseminated to the Upgrade of Ngaruyinka project stakeholders including concerned districts, PAPs etc.) together with its related total cost. Views and concerns of the stakeholders will be considered and integrated in the RAP accordingly.

12.3.3 Constituting and operationalization of Resettlement administrative committees

The administration of this RAP will require a close collaboration between different actors. On one hand, the FONERWA/GCK will be overall in coordinating, approving and monitoring of activities related to the upgrading of Upgrade of Ngaruyinka project. In this regard, all reports either technical or implementation wise will be handed over to and first be approved by FONERWA/GCK. Other agencies including RDB, REMA etc. will have to monitor whether, along the implementation, the contractor respects aspects related to environmental protection. Need is for all these other agencies to cooperate with FONERWA/GCK for a common monitoring of every step of the project implementation. At grassroots level or at the sites, district engineers will play a day-to-day management of the implementation and district engineers will work with the contractor in assuring a smooth project implementation, to assure that residents and their properties are not victimized by the Upgrade of Ngaruyinka project activities.

12.3.4 Awareness campaign

Awareness campaigns will be of paramount relevance in informing residents about the project to be undertaken, the RAP and the compensation process and the cut-off date. It will also present messages intended to prevent accidents likely to happen along the transportation of materials for the Upgrade of Ngaruyinka construction and to preserve the lives of the population living in the project area.

The contractor shall be responsible of organizing regular awareness campaigns on relevant dangers, to safety measures, HIV/AIDS and other transmitted diseases provided that areas around Upgrade of Ngaruyinka project will be cohabitating with foreigners who will be working on the site setting and therefore, the need for the surrounding local residents to be cautioned.

12.3.5 Stakeholders Engagement

The project consultations were made to consult with the public as well as a number of local authorities, to collect their thoughts, opinions and feedback on the impact of Upgrade of Ngaruyinka project. As per public Consultation, consultation meetings were organized on 20/11/2021 in the project area involving various stakeholders including: Project Affected Persons (PAP); Local authorities; Community People and farmers; and, Churches and cooperative leaders Representatives of vulnerable groups such as women, PWD and youth.

While the Scoping Consultations provided stakeholders with an opportunity to raise their concerns, it cannot be assumed that all stakeholders raised their opinions. Further stakeholder engagement will assist with ensuring all relevant issues are captured and that all stakeholders feel they have had a chance to voice their concerns, especially during the implementation of the RAP. Therefore, the project shall develop a detailed Stakeholders Engagement Plan (SEP) with the goal to improve and facilitate decision making and create an atmosphere of understanding that actively involves project-affected people and other stakeholders in a timely manner, and that these groups are provided sufficient opportunity to voice their opinions and concerns that may influence Project decisions. They will be a useful tool for managing communications between the implementing agency (FONERWA/GCK) and other relevant project stakeholders.

12.3.6 RAP verification and follow up

After the RAP dissemination with specific number of PAPs and their properties likely to be affected by the project, RAP verification will be conducted by district engineers in collaboration with grassroots level leaders (sector, cell and village) and village committees. CoK and Gasabo District will thereby send a succinct report to FONERWA/GCK for comparison of the PAPs and their properties presented in the RAP report. FONERWA/GCK will therefore approve and recommend the move to the next course of action if the reports of engineers match with that of the RAP.

If a difference is observed in the two reports, then claims of the complainants will be taken care of by community committees (mediators, local land bureau committees, village level committees etc.).

12.3.7 Agreement with the PAPs, compensation & cut-off date for the relocation

FONERWA/GCK in collaboration with respective districts will, after identification of PAPs and their properties to be damaged by the Upgrade of Ngaruyinka project, sign an agreement with them related to the compensation. This agreement will be related not only to the compensation but also to the cut -off date for related claims and the relocation of PAPs from the Upgrade of Ngaruyinka project boundaries on the agreed cut-off date.

12.3.8 PAPs relocation and settlement process

After the agreement with PAPs and their compensation, the next step will be the relocation of PAPs. This action is to be taken care of by respective districts, and special attention will be paid to vulnerable people among the PAPs. For example, districts will make sure elderly and widow PAPs have been properly settled by the time of the start of the project. PAPs who are disabled, elderly will be taken care off with caution along the compensation and relocation process. PAPs who are physically fit will be given priority in the Upgrade of Ngaruyinka project job allocation.

12.3.9 Post-construction period

In the post-construction period, the monitoring of PAPs progress and Upgrade of Ngaruyinka project construction process among others will be done by the districts and local leaders who, when necessary, might report to FONERWA/GCK.

12.3.10 Proposed RAP implementation timeframe

As per project brief, the project is planned to be implemented in 60 months. In this regard, it is proposed that the RAP implementation timeframe includes 6 months for valuation and compensation, and 24 months of project implementation (settlement upgrading works), which makes 30 months for RAP implementation, out of 60 months of project implementation as shown in table_34 below.

Table 35: Proposed indicative implementation timeframe for RAP implementation

Schedule of activities	Jan- 2022	Feb-2022	Mar-2022	Apr-2022	May-2022	June-2022	July 2-022	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan 2023	Feb 2023	Mar-2023	Apr-2023	May-2023	June-2023	July 2-023	Aug-2023	Sep-2023	Oct-2023	Nov-2023	Dec-20223	Jan- 2024	Feb-2024	Mar-2024	Apr-2024	May-2024	June-2024
RAP approval																														
Disclosure of RAP on FONERWA/GCK website and World Bank InfoShop																														
Sensitization of PAPS on resettlement and project impacts as per World Bank ESS 5.																														
Formation, operationalization and capacity building of GRCs																														
Validation and disclosure of asset valuation/values to PAPs																														
Signing or fingerprinting approved individual valuation sheets by PAPS																														
Compensation of PAPs in affected sectors																														
Relocation of PAPs																														
Grievance management																														
Livelihood restoration																														
Clearance of project boundaries, and progress of works																														
RAP monitoring																														
RAP Completion Audit (to be done at end of project cycle.)																														
Review and approval of RAP Completion Audit by the KfW (donor)																														

13 CONCLUSION AND RECOMMENDATIONS

13.1 Conclusion

The proposed Upgrade of Ngaruyinka project is of major importance for the infrastructure development and the socio-economic development of the project area, and Rwanda in general. However, based on its nature, it is anticipated that such a project will have a lot of impacts on socio-economic issues with a broad range of significance.

Based on project description, Socio-economic baseline Data, legal, policy and institutional framework, impacts assessment, and Resettlement Action Plan (RAP), the following conclusions are drawn:

(i). This Report offers a preliminary review of information that should eventually be treated in greater depth by the project initiators;

(ii). PAPs and Stakeholder responses indicates that there are positive and adverse impacts of the Upgrade of Ngaruyinka project area;

(iii). This RAP shows that the most important negative socio-economic impact will be the removal of houses affected by the project boundaries. The proposed project boundaries will affect about 33 houses. In total the project will also affect 34,3036m2 of crops, 21,165 pieces of trees while requiring 82,384m2 of land for the project boundaries. All houses to be affected are residential, commercial and no public or social infrastructure will be affected. Given the availability of land in most of the concerned settlements, most of the affected households can be easily be relocated within the vicinity of the project.

(iv). The loss of land used for agricultural activities will be minimal in the sense that farmers will be given enough time for harvesting seasonal crops and may continue to cultivate the land while respecting the boundaries of the project.

(v). The estimated RAP budget/cost is of FRW 2,072,370,718 for its effective implementation.

(vi). During public consultation (conducted so far), few recommendation were drawn as follows: i) Involve local communities in all stages of project planning and development, ii) Permanent communication between project initiators and local authorities, iii) All people whose properties are to affected by the project have to be compensated for loss of houses and other structures, crops and trees as provided for in this RAP, v) Grievance redress and monitoring register have to be set-up and the process be publicized in the affected areas vi) During settlement construction, PAPs shall be given first priority in the employment of skilled and unskilled manpower.

13.2 Recommendations

The stakeholders including the PAPs (so far consulted) are positive for the development of the project and during public consultation following recommendations have emerged:

(a) The project Affected People are favourable of monetary compensation for their houses and other structures and the compensation has to be done before work commencement;

(b) The PAPs who are involved in business have given their choice near the market or cell / sector resettlement scheme;

(c) PAPS be given priority for job opportunities from project such as permanent or temporary to serve as a form of incentive and a livelihood restoration measure.

(d) District and Sector RAP Committees to be formed prior to commencing on the compensation. Internal and external monitoring and evaluation committees are formed.

(e) Grievance redress and monitoring register be set-up and the process be publicized in the affected areas;

(f) Prior to compensation, detailed valuation of affected assets in the presence of the PAPs and community representatives; undertaken and up-to-date value of the affected assets negotiated with the PAPs and communities for payment.

In view of above it could be concluded that project will bring benefit to the people of the project area. The resettlement impacts are within the manageable limits and can be mitigated with the proposed resettlement management plans and payment of compensation and hence the implementation of the project is in the public interest.

GREEN CITY KIGALI

REFERENCES AND ANNEXES

References

A. National Laws

1. The Constitution of the Republic of Rwanda of 2003, revised in 2015;
2. Law N° 27/2021 of 10/06/2021 Law governing land in Rwanda;
3. Expropriation law N° 32/2015 of 11/06/2015;
4. Law No.17/2010 of 12/05/2010 Establishing and Organizing the Real Property Valuation Profession in Rwanda

B. Policies and Strategies

1. Ministry of Finance and Economic Planning, Vision 2050, December 2020;
2. Ministry of Family and Gender promotion, Revised National gender Policy, February 2021
3. Ministry of Local government, National Social protection Policy, June 2020
4. Ministry of Environment, National Land Policy, June 2019
5. Government of Rwanda, National Strategy for Transformation, 2017
6. Ministry of Public Service, National Occupational Safety and Health Strategy, 2019
7. Ministry of Health, National Health Policy, 2016
8. Ministry of Infrastructure, Transport Policy, 2008

C. International tools/documents

1. The world Bank: The world Bank Environmental and Social ((ESSs) Framework, 2017
2. https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie_EN.pdf
3. http://pubdocs.worldbank.org/en/837721522762050108/Environmental-and-Social-Framework.pdf
4. https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/policies-standards/ehs-guidelines

D. Other documents

1. Project Mid-Term Feasibility report, 2019
2. Project ESIA Draft Report, 2021
3. Project EIA Brief Summary, 2021

Annexes

I: Questionnaire for social economic survey

Social Economic Questionnaire
AFFECTED HOUSEHOLDS SOCIO-ECONOMIC BASELINE SURVEY
Part one: SOCIO-ECONOMIC
Questionnaire Identification

	Responses	Code
	Enumerator's name	_____
	Supervisor's name	_____
	Name of respondent	_____
	Sex of respondent	/__/
	Age of Respondent	/__/__/
	Province	/__/
	District	/__/__/
	Sector	/__/__/__/__/
	Cell	/__/__/__/__/__/__/
	Village	/__/__/__/__/__/__/__/__/
	Household GPS coordinates	_____/: _____/

Interviewer: Household head or Household member.

Household Identification

	Sex of Household head	*1*	*Male*	/__/
		2	*Female*	

	Age of Household head		.....	/__/__/
	Marital status of household head	*1*	*Single*	/__/
		2	*Married*	
		3	*Widow/wodower*	
		4	*Separated (separated)*	
		5	*Divorced (legally separated)*	
	Does any family member attend churches?	*1*	*Yes*	/__/
		2	*No*	
	Distance from home to church in (minutes)			
	Ubudehe category of household	*1* *2* *3* *4*	*Category 1* *Category 2* *Category 3* *Category 4*	/__/
	Time (years) that household has been in this location		*Write only in year, if less than 1 year write number of mouths in following question*	/__/__/
	If time is less than year, how many months?			/__/__/
	How many persons living in this household?			/__/__/

Demographic Information (All persons living in the household)

PID	**Names**	**Sex**	**Age**	**Relationship with HH**	**Occupation status (6)**		**Estimated monthly Expense**	**Estimated savings per month**	**Education level**	**Disability**	**Literacy**
		(1=Male, 2=Female)		code (5)	(Primary occupation	Secondary occupation	Code (7)		Code (8)	yes, 2 No	1. Yes 2.No
1											
2											
3											
4											

5											
6											
7											
8											
9											
10											
(5)		(6)		(7)				(8)			

= Head of household = Spouse = Son/daughter = Father/mother = Grand parent = Grandchild, 7=Permanent Employee 8 = Other relation (Specify)	= None = Student = Farmer (Agricul /Livestock) = Self Employed /Crafts nt = Trader = Civil servant / l Authorities ue = Non-governme Organisation = Retired 9.Real estate reven 10.remittances 11.shares/bonds	1 =		1= None = Attended primary school only = Attended vocational school (Artisanal, CERAI, CFG, Familial) = Completed high school (D4, D5, D6, D7) = Graduate (A1, A0, Masters, PhD)	

D: Household Assets

1	which of the following items are available (in a working condition) for use by your household?	1=Yes 0=No
	Bicycle	/__/
	Mobile phone	/__/
	Radio	/__/
	Television set	/__/
	Cassette player/radio cassette	/__/
	Sewing machine	/__/
	Motorcycle	/__/
	Car/truck	/__/
	Refrigerator/deep freeze	/__/
	Foam mattress	/__/
	Gas/electric stove or cooker	/__/
	Furniture suite (wooden chain)	/__/
	Computer	

D_3 which of the following energy sources (for light and/or for fuel) does your household use? (more than one answer may be given).

Source	**Please circle**
Electricity (REG)	*1.yes/2.no*
Generator	*1.yes/2.no*

Kerosene lantern	*1.yes/2.no*
Gas lantern	*1.yes/2.no*
Charcoal	*1.yes/2.no*
Firewood	*1.yes/2.no*
Candle	*1.yes/2.no*
Traditional lamp(agatadowa)	*1.yes/2.no*
SOLAR	*1.yes/2.no*
BIOGAS	*1.yes/2.no*
Battery	*1.yes/2.no*
Others, specify	*1.yes/2.no*

Which fuel do you mainly use for heating? (Tick one)

1 ( ) fuel wood 2 ( ) gas 3 ( ) natural gas 4 ( ) fuel oil 5 ( ) Other……

E: INCOME & EXPENDITURE (MONTHLY)

		2	*From another country (specify)……..*		
E_2	Expenditure				Rw
1	Please indicate the extent of expenditure on the	*1*	*Food (7 days)*		/_____/
		2	*Education (per year) uniform, school fees, transport …*		/_____/
	following item in the past year Where do you spent most of your money in the following times?	*3*	*Health (per year), paying medicine, contribution of Mutuel, …..*		/_____/
		4	*Transport (month)*		/_____/
		5	*Funeral(s) (per year)*		/_____/
		6	*Dowry (per year), ceremonies*		/_____/
		7	*Clothes (per year)*		/_____/
		8	*Hire of labour (per year)*		/_____/

		9	*Agricultural (per year), inputs, materials, …..*		
		10	*Other (specify)*		/_____/

Do You own a property: Yes, No?
If yes, do you own a land document: *Yes or No?*
Type of property to be affected: (House, Forest, farmland, tree with >3meter, other specify)
Do you own a land for farming activities within 1-5km from your house? *Yes, or No*
What Mode of compensation do you prefer:
Compensation in cash
Compensation in value exchange
Do not know
Other
If other specify:
SKETCH AND ADDITIONAL DETAIL OF STRUCTURES

H. CATEGORY AFFECTED

To add:
Water and sanitation access:
What source of water do you use:
Rock water catchment
Protected spring
Public tap
Water tank
Fountain
Water in the premises
Distance from home to water source (in minutes)
Do you have a waste disposal: *Yes, or No?*
If yes, where?
In the farm:
In the bush
In the sceptic Foss
Public rubbish

D_2	What toilet facilities do you have?	1	*no toilet*	/__/
		2	*outside toilet-VIP (protected pit latrine*	
		3	*outside toilet –unprotected pit latrine*	
		4	*flush toilet with septic tank*	

Why did you move here? (Tick as much as relevant)
( ) Schooling of children
( ) Look for work

2 ( ) *Start new job*

3 ( ) *Inherited land*

4 ( ) *Escape disaster*

5 ( ) *Escape a family conflict*

6 ( ) *Other (specify)*

7 Access to health service:
8 *Distance from home to heath service in minutes*
9 Access to education facility:
10 *Distance from home to School in minutes*
11

12 Mode of transport: *(motorcycle, bicycle, vehicle, foot, boat, other)*
13 *In the past 12 months what illness faced in the household: (Communicable disease (flu, COVID-19, or non-communicable disease (Maralia, typhoid fever, Heart disease)*
14 Take a photo of affected property with the household head in the photo.
15 Take a photo of affected property only with no person in the photo.

II: Various annexes

1. Assets Register



2. Magnitude of Affected Plots



3. Social Economic Raw Data



4. Individual Files: Shared separately

5. Photos for affected Houses, Plots, Trees, Crops: Shared separately

III: FGD Minutes

Minutes of Public Consultation Meetings	
Project	**Ngaruyinka Upgrade project**
Site1:	**Gasabo District, Kinyinya Sector, Murama Cell**
Date:	**16th November, 2021**

Agenda:

S/N	Time	Activity	Responsibility
1	10:00-10:05	Opening and welcome remarks	Ngaruyinka Village Leader
2	10:05-10:25	Brief introduction of the project, background and its objectives	Consultant representative
3	10:25-10:55	Collection of opinions/ views, opinions and concerns from the stakeholders.	All stakeholders facilitated by the Consultant
4	10:55-11:00	Closing remarks	Ngaruyinka Village Leader

Introduction

The meeting was convened by SWECO ESIA/RAP team in close collaboration with local authorities, and brought together community members, mainly composed of PAPs. The aim of the meeting was to inform the community mainly PAPs about the planned Ngaruyinka upgrade project, its components, and potential positive and adverse impacts, while collecting their views, opinions and concerns about the project. In his introductory remarks, the Village Leader of Ngaruyinka, he welcomed the consultant team as well as all the participants from the community. He invited the participants to provide their views and concerns about the planed Ngaruyinka upgrade project and called upon the consultant team to introduce the project and proceed with the consultation.

The introduction of the project focused on a brief presentation of the project, its components and potential impacts (positive and adverse). The consultant team emphasized on the rational and relevance of public consultation and pointed out that it is meant create awareness about the project among the community and collect their views and concerns/worries about the project.

Participants' views, opinions questions and suggestions

After a brief presentation of the project, participants were given opportunity to provide their views/opinion and suggestions towards the project. The most silent features of participants' opinions and suggestions are presented in the table below.

S/N	Views/ questions concerns and opinions	Consultant's response
1.	We would like to know the positive impact of the Project and opportunities it offers to the community	The project is likely to generate more opportunities to local communities and positive impacts will occur during and after the implementation of this project. The project anticipated positive impacts include the following: ■ The project will improve and upgrade the settlement ■ The project will upgrade the existing infrastructures in the settlement and facilitated access. ■ The project will stimulate development through creation of jobs in the community and more investors will get attracted

S/N	Views/ questions concerns and opinions	Consultant's response
2.	We are worried about the negative impacts of the project on community's livelihood	The project implementation is likely to yield negative impacts including the following: – Loss of properties (houses. Land, crops, tress, business, etc; – Relocation/ displacement – Labor influx and related disturbances – Accidents which may occur during project constructions activities; – Etc
3.	Are there strategies/ measures to mitigate negative impacts?	The most important mitigation measure, is that all assets to be affects shall be fairly compensated, based on the real market value of assets. In addition, during road construction activities, safety measure will be are observed to prevent accidents and provide insurance for workers.
4.	How does the project intend to support vulnerable groups	Advisory support at all stages of resettlement and compensation to these persons will be provided: trading, payment and moving. It must be ensured that these Vulnerable Persons can fully participate in various programs of restoration and improvement of the living conditions that will be implemented, in terms of training, experience sharing, micro-credit, and be ensured that the concerns, claims, complaints that they can make against the project or other institutions within the framework of resettlement, compensation and restoration, are duly considered. In addition to compensation allowances, the poorest vulnerable people will be facilitated to get reestablishment of livelihood activities (provision of seedlings, agricultural inputs, and financial credits for equipment, health insurance, etc)
5.	When can we expect that project to start?	At this stage, we at the feasibility phase of the project, and the project shall starts when all preparations and other requirements are in place. The borrower will constantly keep you informed
6.	Compensation preference	The compensation alternatives (cash or in kind) were explained to participants, and most of them preferred cash competition. In addition, the majority of participants express their wish to relocate within the vicinity of their current residence after being compensated.
7.	We are worried about the valuation of our assets and price to be considered?	Assets valuation shall be conducted by a Certified valuers using market value or prices established by the by the institute of real property valuation.
8.	Our wish is that we get paid before the use of our properties	As per expropriation law, the payment of compensation has to done before the ownership transfer. In addition the payment of compensation package should be deposited to a joint account (household head and spouse).
9.	Cut-off date	The cut-off date of 04 November 2021 was declared and agreed with participants and the later committed to respect it.

IV: Proposed RAP and GRM reporting Format/Template

REPUBLIC OF RWANDA

FONERWA

RAP Implementation and GRM Status Report

I.	PROJECT DATA
Project Name	
Implementing Agency	
Project ID	
Funding	
Project Effectiveness	
Project Closing date	
Activity	
Document	
II.	**PROJECT BACKGROUND**

III. RAP IMPLEMENTATION STATUS

Road ID	Road Name	Total length (km)		Nbr of PAHs as per the Updated RAP		Assets to be affected								Amount paid (FRW)
						Land (Ha)		Crops (ha)		Trees (Nbr)		Houses (Nbr)		
Component 1														
		Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	
Component 2														
Total Lot1&2														
Livelihood restoration measures														
Transport and communication of # GRCS														
General Total														

IV. GRC REPORTING FORMAT

SN	Details	Status
1	Names of the complainant	
2	ID of the complainant	
3	Nature of Complaint	
4	Date the complaint was reported;	
5	Date the Grievance Log was added onto the project database;	
6	Date information on proposed corrective action sent to complainant (if appropriate);	

7	The date the complaint was closed out; and	
8	Date response was sent to complainant.	
Summary of complaints status		
1	Number of received complaints	
2	Number of solved complaints	
3	Number of pending complaints and reasons	
4	Number of complaints forwarded at higher level	

Comments:

V. ASSISTANCE PROVIDED TO PAPs

a. **Assistance during valuation**
b. **Assistance to the displaced PAPs**
c. **Assistance during Grievance redress process**

-
-

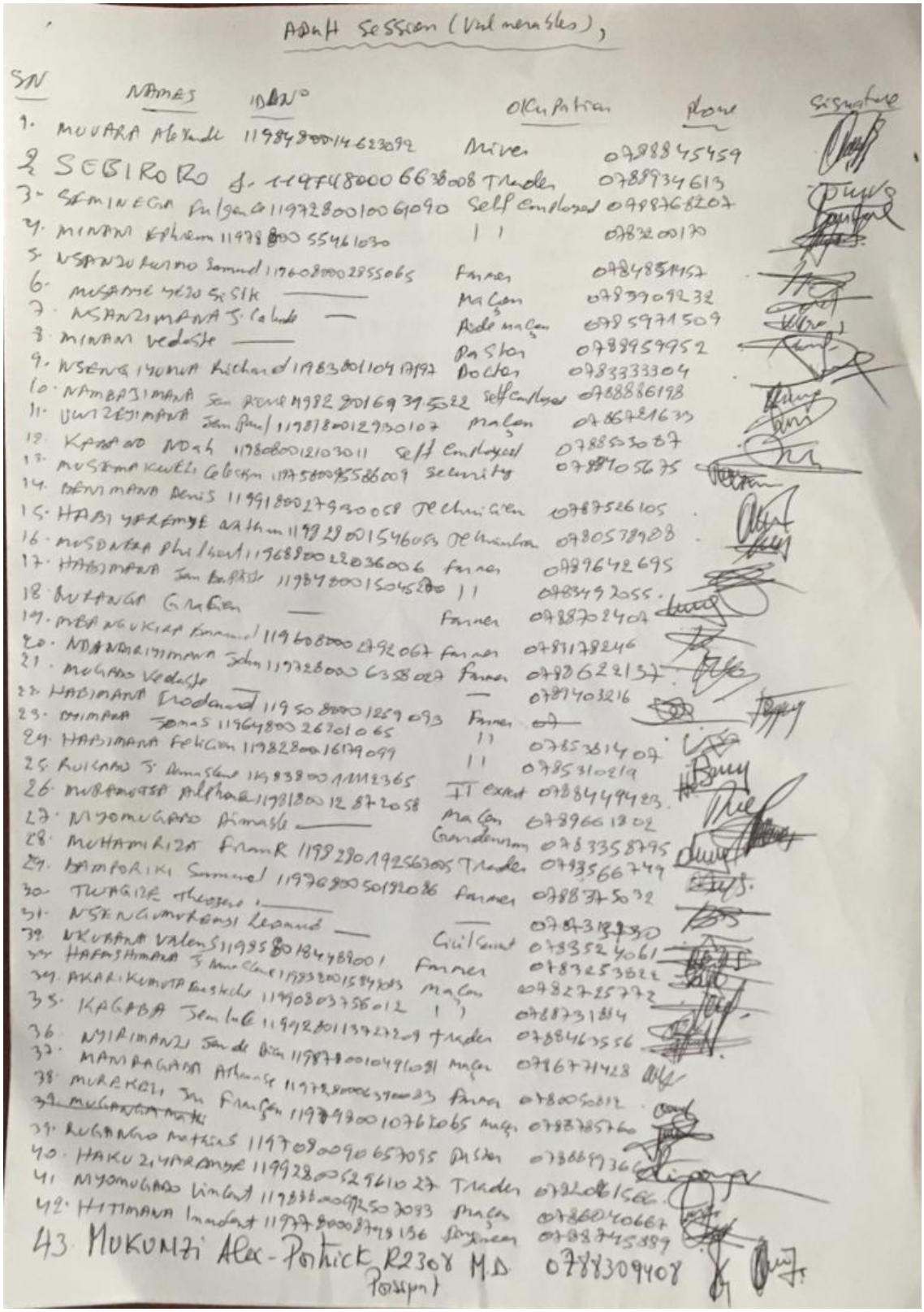
VI. CONCLUSION

Prepared By:	Checked By:	Approved By:

ANNEXES

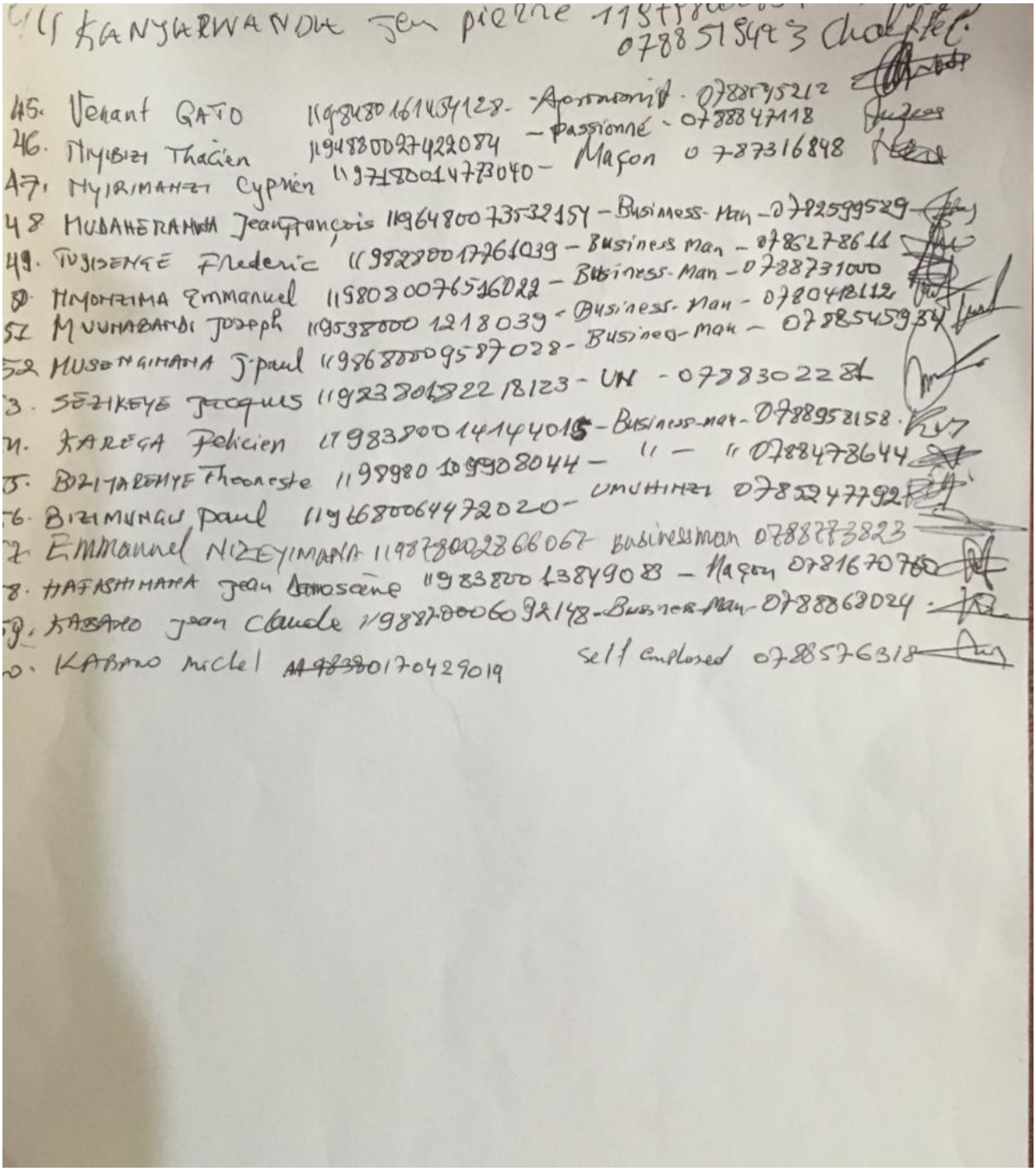
- **ANNEX 1: MAPS OR THE COMPENSATED SECTIONS**
- **ANNEX 2: COMPENSATED HOUSES**
- **ANNEX 3: PAYMENT ORDER FOR PAID COMPENSATION**

Annex V: Attendance lists of participants in consultation meetings



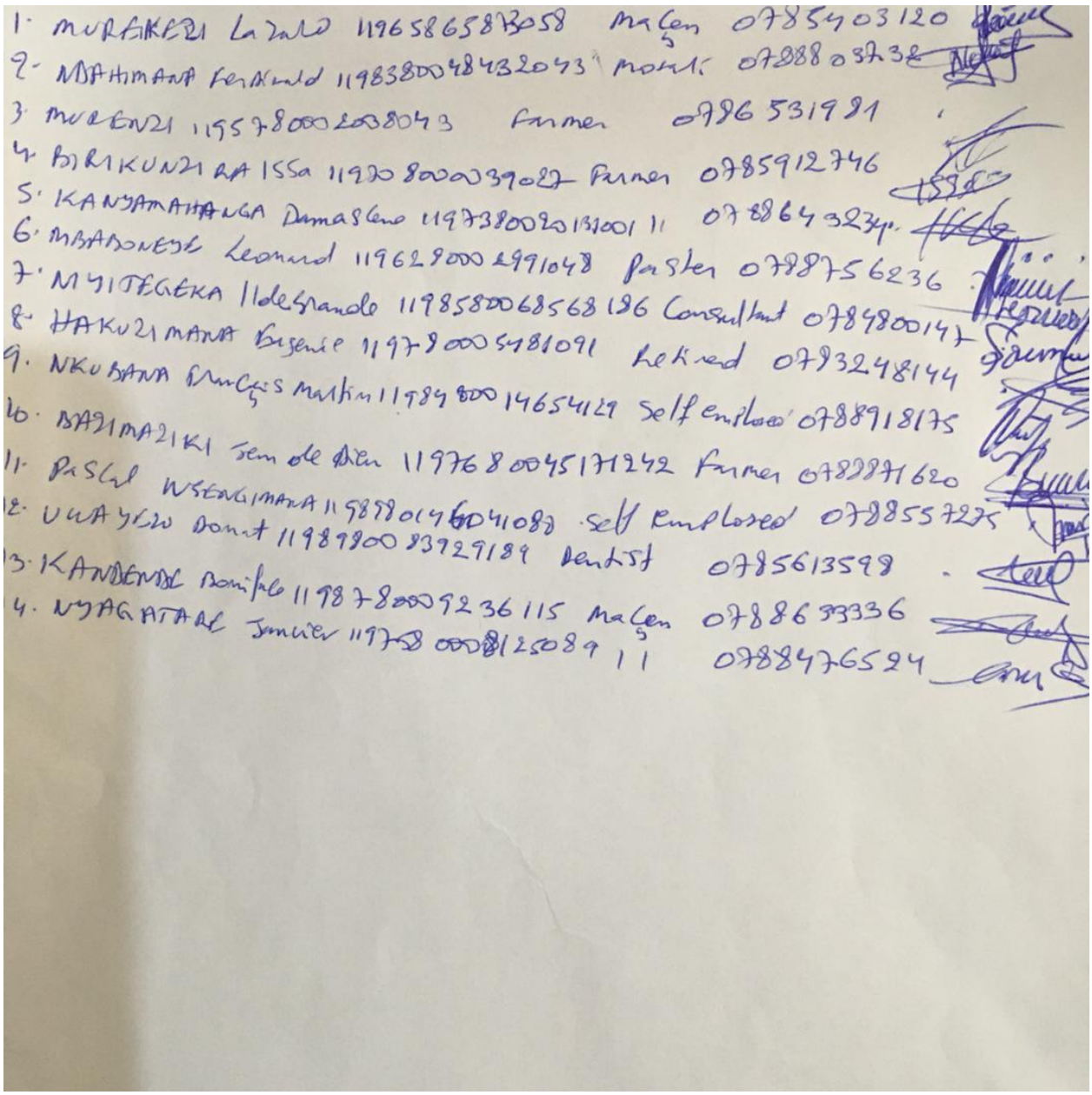
Adult Session (Vulnerables),

SN	NAMES	ID N°	Occupation	Phone	Signature
1.	MUVARA Alexandre	1198480014623092	Driver	0788845459	
2	SEBIRORO J.	1197480006638008	Trader	0788934613	
3.	SEMINEGA Fulgence	1197280010061090	Self Employed	0788768207	
4.	MINANI Ephrem	1197880055461030	"	0783200170	
5.	NSANZURWIMO Samuel	1196080002855065	Farmer	0784851457	
6.	MUSABYE YEZO Sisik	—	Maçon	0783909232	
7.	NSANZIMANA J. Claude	—	Aide maçon	0785971509	
8.	MINANI Vedaste	—	Pastor	0788959952	
9.	NSENGIYUMVA Richard	1198380110417197	Doctor	0783333304	
10.	NAMBAJIMANA Jean Pierre	1198280169395022	Self Employed	0788886198	
11.	UWIZEYIMANA Jean Paul	1198780012930107	Maçon	0786721633	
12.	KABANO Noah	1198080012103011	Self Employed	0788503087	
13.	MUSEMAKWELI Celestin	1197580095586009	Security	0788405675	
14.	BENIMANA Denis	1199180027930058	Technician	0787526105	
15.	HABIYAREMYE Nathan	1198280015460053	Technician	0780578908	
16.	MUSONERA Philbert	1196880022036006	Farmer	0789642695	
17.	HABIMANA Jean Baptiste	1198480015045200	"	0783492055	
18.	BURANGA Gracien	—	Farmer	0788702407	
19.	MBANGUKIRA Emmanuel	1196080002792067	Farmer	0783178246	
20.	NDANDIRIYIMANA John	1197280006358027	Farmer	0788622137	
21.	MUGABO Vedaste	—	—	0789403216	
22.	HABIMANA Frodonard	1195080001259093	Farmer	07	
23.	BYIMANA Jonas	1196480026201065	"	0785381407	
24.	HABIMANA Felicien	1198280016179099	"	0785310219	
25.	RUKABO J. Damascene	1198380011112365	IT expert	0788449423	
26.	MURAMUTSA Alphonse	1198180012872058	Maçon	0789661802	
27.	NIYOMUGABO Aimable	—	Gardenman	0783358795	
28.	MUHAMIRIZA Frank	1198280192563005	Trader	0783566749	
29.	BAMPORIKI Samuel	1197680050182086	Farmer	0788375032	
30.	TWAGIZE Theogene	—	—	0784313730	
31.	NSENGUMUREMYI Leonard	—	Civil Servant	0783524061	
32.	NKUBANA Valens	1198580184488001	Farmer	0783253822	
33.	HAFASHIMANA J. Damascene	1198380015849083	Maçon	0782725772	
34.	AKARIKUMUTA Eustache	1199080375601 2	"	0788731884	
35.	KAGABA Jean Luc	1199280113727209	Trader	0788463556	
36.	NYIRIMANZI Jean de Dieu	1198780010491081	Maçon	0786771428	
37.	MANIRAGABA Athanase	1197280006370083	Farmer	0780050812	
38.	MUREKEZI Jean François	1197980010762065	Maçon	0788785760	
~~39.~~	~~MUGANGA Mathi~~				
39.	RUGANGO Mathias	1197080090657095	Pastor	0788899366	
40.	HAKUZIYAREMYE	1199280052961027	Trader	0782061566	
41.	NIYOMUGABO Vincent	1198880099250 7083	Maçon	0786040667	
42.	HITIMANA Innocent	1197780008748136	Engineer	0788745889	
43.	MUKUNZI Alex-Patrick R2308 Passport		M.D	0788309408	

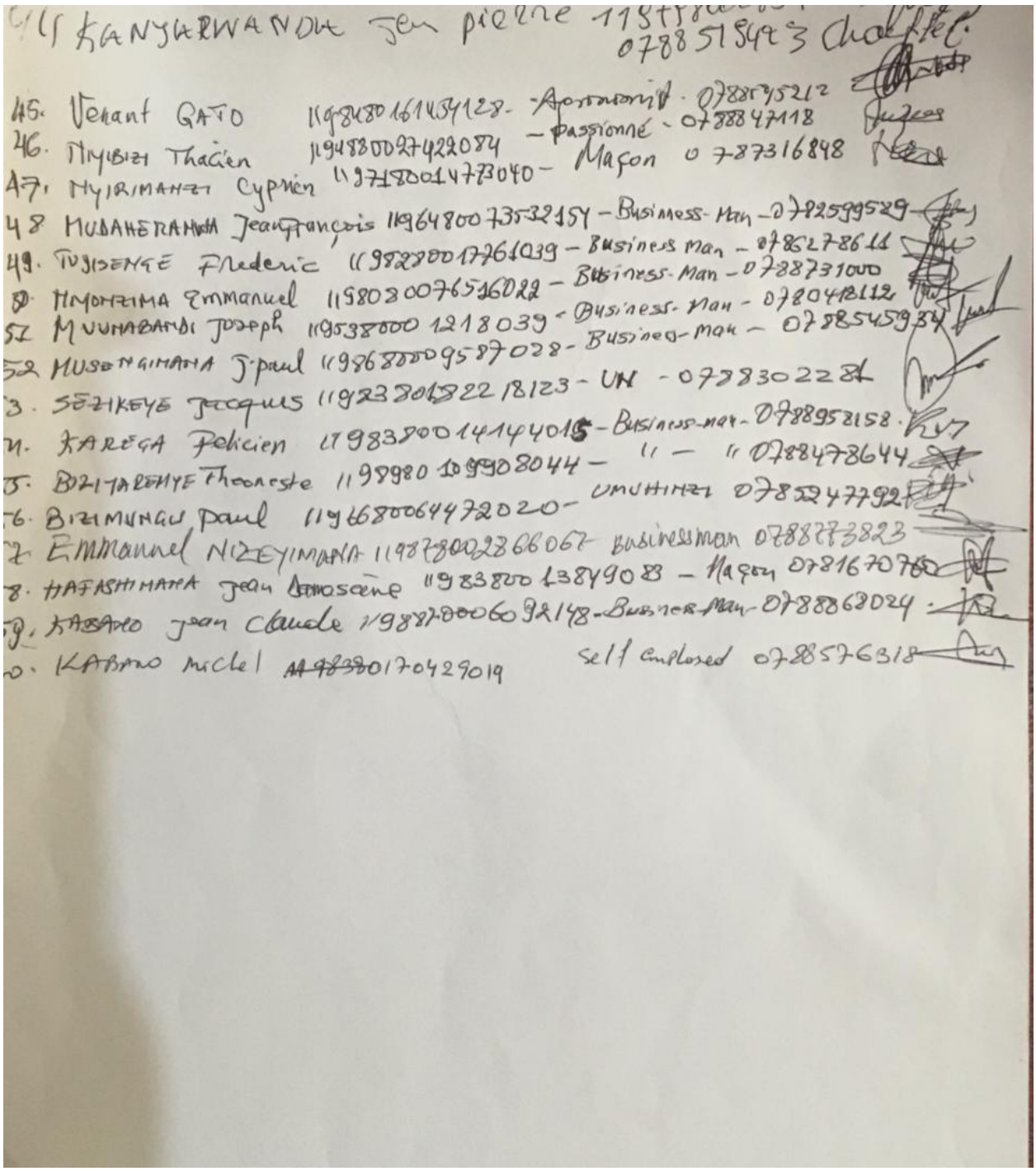


44. KANYARWANDA Jean pierre 119[illegible] 0788519493 Chauffeur

45. Venant GATO 119840161454128 - Agronomist - 0788595212
46. NIYIBIZI Thacien 119488002742208 4 - Passionné - 0788847118
47. NYIRIMANZI Cyprien 119718001477304 0 - Maçon 0787316848
48. MUDAHERANWA Jean François 119648007353215 4 - Business-Man - 0782599529
49. TUYISENGE Frederic 119828001776103 9 - Business Man - 0786278611
50. NIYONZIMA Emmanuel 119808007651602 2 - Business-Man - 0788731000
51. MUUNABANDI Joseph 119538000 1218039 - Business-Man - 0780418112
52. MUSENGIMANA J.paul 119868000958702 8 - Business-Man - 0788545934
53. SEZIKEYE Jacques 119238018221812 3 - UN - 0788302281
54. KAREGA Felicien 119838001414401 5 - Business-man - 0788958158
55. BIZIYAREMYE Theoneste 119898010990804 4 - " - " 0788478644
56. BIZIMUNGU Paul 119668006447202 0 - UMUHINZI 0785247792
57. Emmanuel NIZEYIMANA 119878002866067 Businessman 0788773823
58. HAFASHIMANA Jean Damascène 119838001384908 3 - Maçon 0781670760
59. KABANO Jean Claude 119887000609214 8 - Business-Man - 0788868024
60. KABANO Michel ~~119838~~0170429019 self employed 0788576318



1. MUREIKEZI Lazaro 1196586587 3058 Maçen 0785403120
2. NDAHIMANA Ferdinand 1198380048432043 Morali 0788803738
3. MURENZI 1195780002008043 Farmer 0786531981
4. BIRIKUNZIRA Issa 1197080003902 7 Farmer 0785912746
5. KANYAMAHANGA Damascene 1197380020131001 11 0788643234
6. MBABONEYE Leonard 1196280002991048 Paster 0788756236
7. MYITEGEKA Ildebrande 1198580068568186 Consultant 0784800147
8. HAKUZIMANA Eugenie 1197800054810 91 Retired 0783248144
9. NKUBANA François Martin 1198480014654129 Self employed 0788918175
10. BAZIMAZIKI Jean de Dieu 1197680045171242 Farmer 0788871620
11. Pascal NSENGIMANA 1198980146041088 Self Employed 0788557275
12. UWAYEZU Donat 1198980083929189 Dentist 0785613598
13. KANDENDE Boniface 1198780009236115 Maçen 0788633336
14. NYAGATARE Janvier 1197580008125089 11 0788476524



44 KANYARWANDA Jean pierre 119[illegible] 0788519493 Chauffeur

45. Venant GATO 119848016145412 8 - Agronomist - 0788595212
46. NIYIBIZI Thacien 119488002742208 4 - Passionné - 0788847118
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48 MUDAHERANWA Jean François 119648007353215 4 - Business-Man - 0782599529
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50. NIYONZIMA Emmanuel 119808007651602 2 - Business-Man - 0788731000
51 MUUNABANDI Joseph 119538000 1218039 - Business-Man - 0780418112
52 MUSENGIMANA J.paul 119868000958702 8 - Business-Man - 0788545934
53. SEZIKEYE Jacques 119238018221812 3 - UN - 0788302281
54. KAREGA Felicien 119838001414401 5 - Business-man - 0788958158
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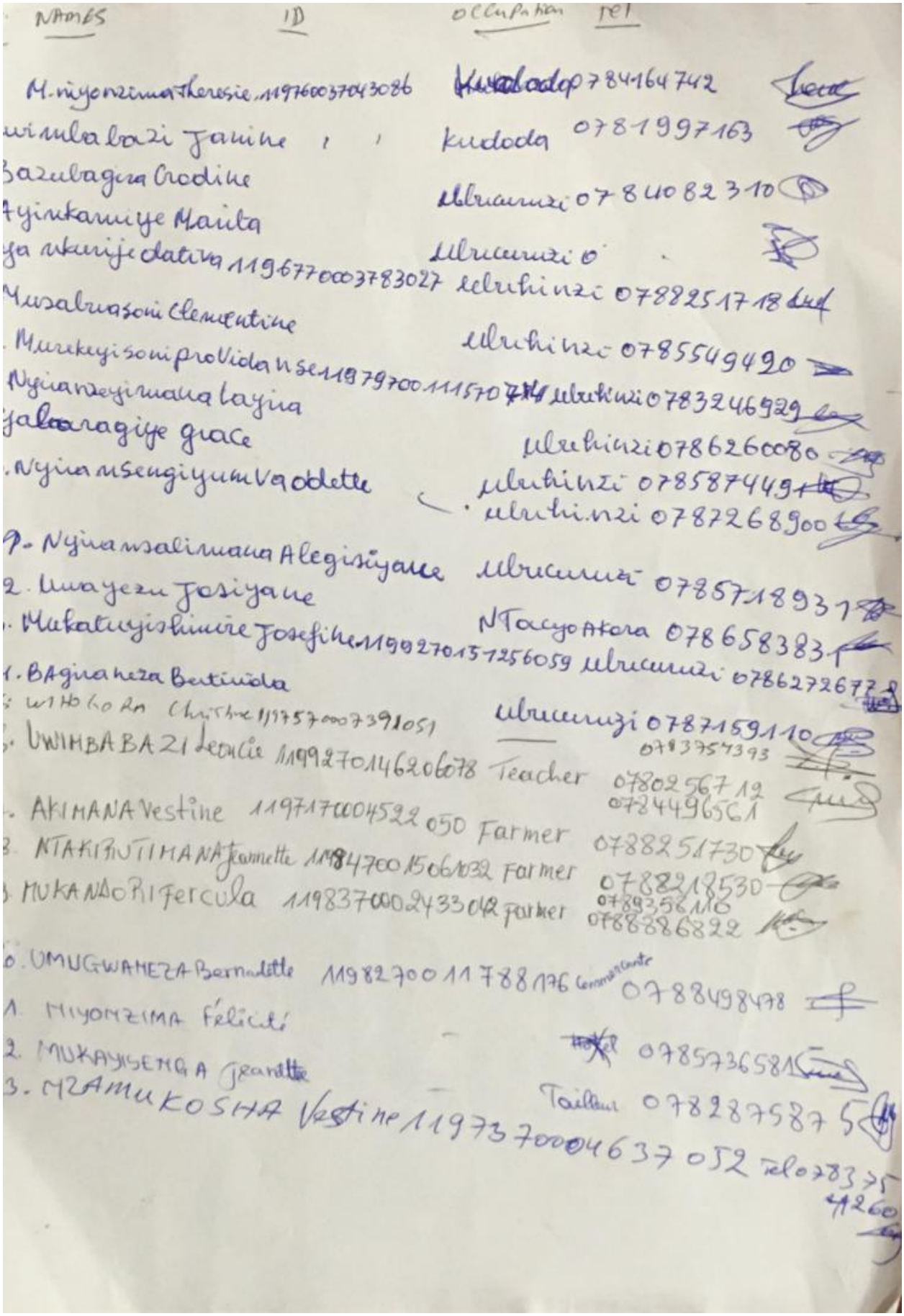
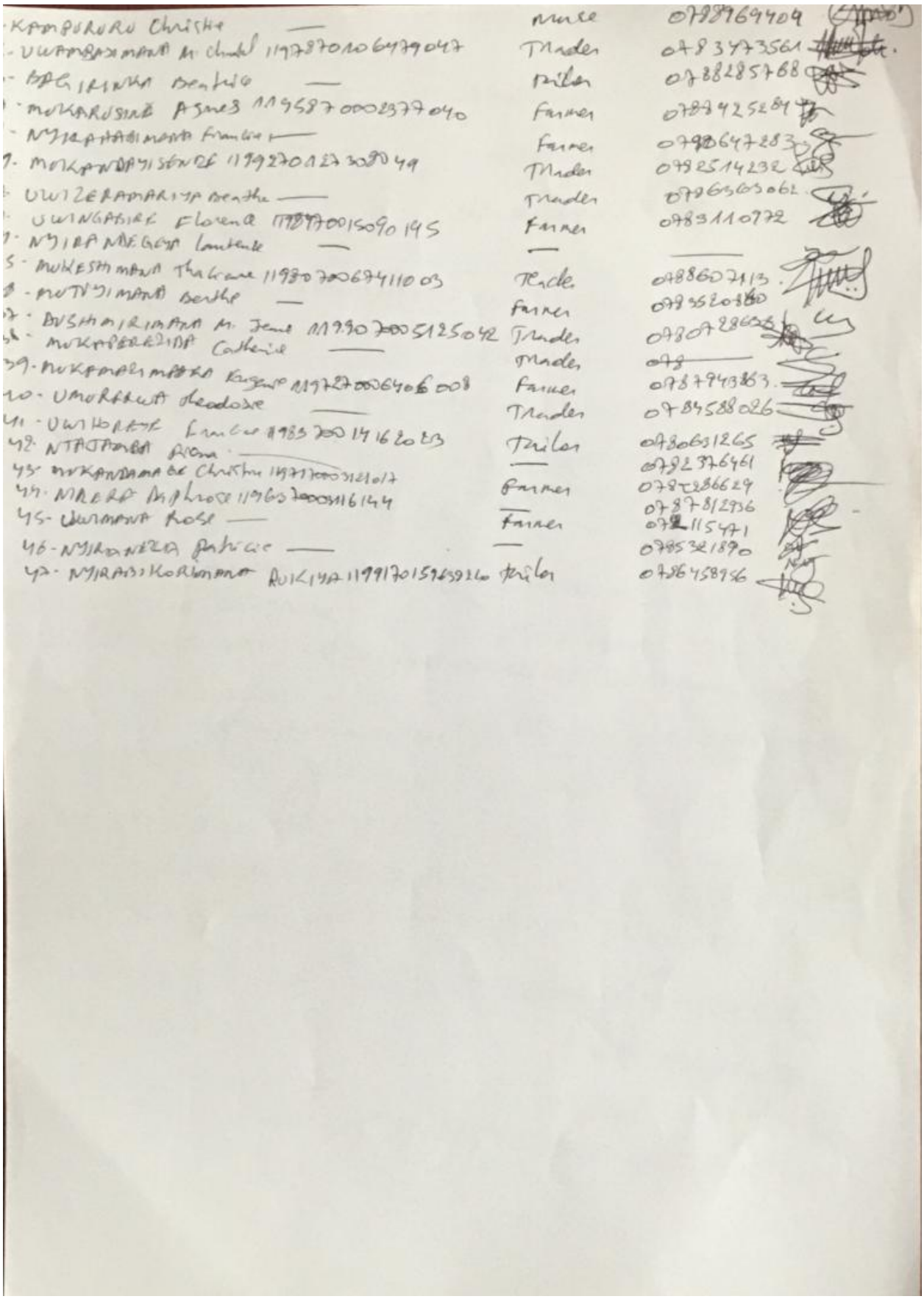
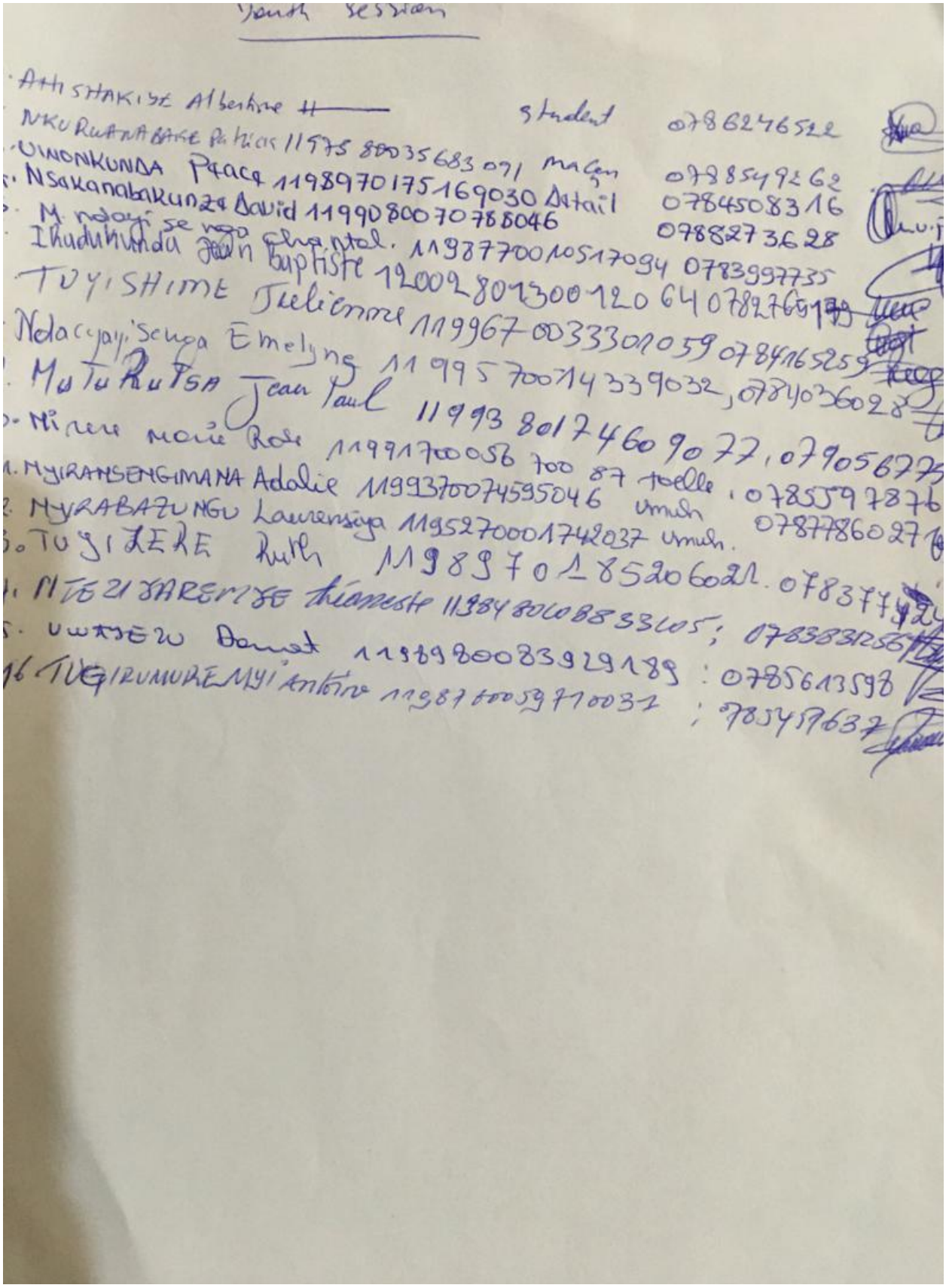
59. KABANO Jean Claude 119887000609214 8 - Business-Man - 0788868024
60. KABANO Michel ~~119838~~0170429019 self employed 0788576318



NAMES	ID	occupation	tel
M. niyonzima Theresie	1197600370430 86	Kudoda	0784164742
uwimbabazi Janine	" "	kudoda	0781997163
Bazubagira Crodine		Ubucuruzi	0784082310
Ayinkamiye Marita		Ubucuruzi	0
ya ukurije dativa	1196770003783027	ubuhinzi	0788251718
Musabuasoni Clementine		ubuhinzi	0785549420
Murekeyisoni proVidanse	1197970011157074	ubuhinzi	0783246929
Nyiranzeyimana Layira		ubuhinzi	0786260080
yabaragiye grace		ubuhinzi	0785874491
Nyiransengiyumva Odette		ubuhinzi	0787268900
1. Nyiransalimana Alegisiyane		Ubucuruzi	0785718931
2. Uwayezu Josiyane		NTacyo Akora	0786583831
Mukatuyishimire Josefine	1199270151256059	Ubucuruzi	0786272677
1. BAgiraneza Bertinda		Ubucuruzi	0787159110
WIHOGORA Christine	1197570007391051		0783757393
UWIMBABAZI Leoncie	1199270146206078	Teacher	0780256712
			0784496561
AKIMANA Vestine	1197170004522050	Farmer	0788251730
NTAKIRUTIMANA Jeannette	1198470015061032	Farmer	0788218530
MUKANDORI Fercula	1198370002433042	Farmer	0789358110
			0788886822
0. UMUGWANEZA Bernadette	1198270011788176	Commerçante	0788498478
1. MIYONZIMA Félicité			0785736581
2. MUKAYISENGA Jeanette		Tailleur	0782875875
3. MZAMUKOSHA Vestine	1197370004637052	Tel	0783754260





Youth session

- ATHISHAKIYE Albertine ——— student 0786246522
- NKURUNABAKE Patrick 11975 80035683 071 maçon 0788549262
- UWONKUNDA Peace 11989701751690 30 Detail 0784508316
- Nsakanabakunze David 11990800707880 46 0788273628
- M. ndayi se nga Chantal. 11987700105170 94 0783997735
- Ikudukunda Jean Baptiste 12002801300120 64 0782765179
- TUYISHIME Julienne 11996700333010 59 0784165259
- Ndacyayisenga Emelyne 11995700143390 32, 0784036028
- MUTURUTSA Jean Paul 11993801746090 77, 079056775
- Mirere Marie Rose 11991700056700 87 toelle, 0785597876
- MYIRANSENGIMANA Adalie 11993700745950 46 umuh 0787786027
- MYIRABAZUNGU Laurensiya 11952700017420 37 umuh.
- TUYIZERE Ruth 11989701852060 21. 078377424
- NTEZIYAREMYE Théoneste 11984801088331 05; 0783831256
- UWAYEZU Damet 11989800839291 89 : 0785613598
- TUGIRUMURE MYI Antoine 11987700597100 31 ; 785457637

VI: Terms of References (ToR)

Terms of Reference

Approved by RDB on December 1st, 2021

ESIA for the 18 ha Settlement Upgrade at Ngaruyinka village

(as part of the Green City Kigali Project)

1 Background and Rationale

Rwanda's Green Fund (FONERWA) has secured funding from the German Development Cooperation through KfW Development Bank and the Green Climate Fund's Project Preparatory Facility (PPF), to prepare a feasibility study and to conduct an international design competition and tender process to select an Urban and Architectural Design Consultant (UADC) to undertake urban planning, infrastructure and architectural design services associated with the 'Green City Kigali'. In addition, funding was provided by the Green Climate Fund's Project Preparatory Facility (PPF), to support establishing a special purpose vehicle (SPV) that will serve as the central vehicle for the project's implementation. This SPV is known as the Green City Kigali Company (GCKC).

As part of the planning background, a number of high level environmental and social safeguard frameworks have been developed, including a resettlement policy framework (RPF), an environmental and social management framework (ESMF) and stakeholder engagement framework (SEF). The Resettlement Policy Framework (RPF, 2021) was developed, to a level of detail corresponding to the very early phase in the planning process, prior to the commencement of the development of the overall Masterplan for the Project.

The GCF project investments include public infrastructures such as Upgrade of existing 18 ha Ngaruyinka village (the Project), Social Housing Development and Technical Assistance to support adaptation and /or mitigations to climate Change. The 18 ha Village upgrade as sub-component of the overall Green City Kigali (GCK) Project is considered for financing by GCF, KfW and Government of Rwanda. This project has three components:

1. **Climate responsive investment:** provide the necessary investments to upgrade the infrastructure and community buildings so that residents can withstand current and future climate risks, primarily flooding, landslides and heat stress. It will also support vulnerable households to adopt low emission, climate resilient technologies.
2. **Increased awareness and capacity for inclusive climate responsive upgrades.** Sub-components include Institutional capacity development of GoR agencies, Blueprinting the GCK and Planning code for GoR, Development of recycling value chains, Market facilitation to catalyse increased uptake of low emission, climate resilient approaches and technologies, Policy support for an enabling environment and mainstreaming green city development standards and approaches into regulatory and planning frameworks and Knowledge management system developed on climate responsive regeneration.
3. ***The Social Housing***[i]. The Housing Authority Integrated Development Program (IDP) intends to use the GCF financing to provide housing for families whose dwellings or livelihoods have been impacted or exacerbated by climate change.

2 Ngaruyinka Village Components to be upgraded

A number of different technical options have been evaluated against a baseline in order to arrive at recommendations that achieve the vision of the project. Each technical option that has been considered falls into one of the following scenarios:

- **Take No Action scenario (TNA)** - the perpetuation of the current situation with no GCK densification of the village.
- **Business as Usual scenario (BAU)** - assumes the adoption of conventional current practices for upgrades assuming the densification of the village in line with GCK. This scenario would meet the requirements set out in the National Upgrading Strategy, but climate risks are not adequately factored into the design. This is considered a realistic baseline for assessing more Climate Responsive (CR) alternatives.
- **Climate Responsive (CR)** – technologies and practices that potentially achieve more in terms of climate mitigation and adaptation as a return on investment.

The technical options were organized according to conventional sectors as follows:

- Transport and Mobility
- Stormwater Management
- Water Supply

- Sanitation
- Solid Waste Management
- Energy
- Community facilities

Based on the results of the multi-criteria analysis, the following climate responsive options were selected for further development:

Table Error! Main Document Only.**: proposed components to be upgraded and activities**

Sector	Activities
Transport/mobility	Construction of green rights of way
	Green roads construction methods
Stormwater management	Blue/green stormwater management systems
Water supply	Expansion of stormwater supply (100% connection rate)
	Rainwater harvesting (as supplement to central supply)
	Filters to household water treatment
Sanitation	Biogas system at the market
	Latrine improvements/ Education
Solid waste management	Community composting
	Neighbourhood waste collection point
	Recycling collection stations
Energy	Solar PV
	Improved cook stoves
	Energy efficient lighting and appliances
Community facilities	Establishment of a Technical and Vocational Education and Training (TVET) Centre
	Additional Community Focal Points & Market Squares

IL 3: Projects requiring a full EIA

This category involves projects for which it is evident that there will be significant and adverse environmental impacts whose mitigation measures cannot readily be prescribed, and thus, must undergo through a complete EIA process.
The above definitions notwithstanding, categorisation of project impact levels and extent of EIA studies (with respect to duration and detail of terms of reference) will be determined by REMA/RDB.
If an EIA is not required, the project is exempted from further compliance with the EIA process in which case, REMA (now RDB) issues a certificate to that effect and advises the developer and relevant licensing authority of the exemption. Conversely, if an EIA is required, REMA (now RDB) informs the developer that a full impact study must be undertaken.
However, since 2019, through the MO No 001/2019 of 15/04/2019, the project categorisation has changed to ease the screening and the order through its chapter II and articles 3, 4 and 5 has established a list of projects that must undergo an environmental impact assessment. The three articles are the following:

Article 3: List of works, activities and projects that must undergo a full environmental impact assessment

Article 4: List of works, activities and projects that must undergo a partial environmental impact assessment

Article 5: Works, activities and projects that are not included on the list

Annex 1 of the MO gives a list of 23 types of works, activities and projects that must undergo a full environmental impact assessment. The rehabilitation and construction of school infrastructures falls in the first type of works and activities that must undergo a full environmental impact assessment.

Annex 2 of the MO gives a list of 3 types of works, activities and projects that must undergo a partial environmental impact assessment.

Under annex 1 and 2, the rehabilitation and construction of school facilities fall in the type 1 of projects for which a full EIA or partial EIA must be conducted. This type of project is the following:

Under annex 1:

1o. All buildings classified as residential, commercial, administrative or institutional sports facilities, social, cultural, and assembly and religious buildings, hotels, health facilities, educational buildings, or other publicly accessible facilities fulfilling at least two of the following conditions:

- Having capacity to host more than five hundred (500) people;
- Having a total floor area exceeding one thousand and five hundred square meters (1500 sqm);
- Built in plot size exceeding one thousand square meters (1000 sqm).

Ngaruyinka Village in actual facts is hosting more than 500 people on an area estimated to 18ha (more than 1000sqm) and the total floor area to be covered by the components to be upgraded is more than 1,500sqm.
Therefore, the project falls in the category (Annex 1) for which a full ESIA is required.

3 Land related issues and potential for Involuntary Resettlement

Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition and/or restrictions on land use.
The consultant will assess how to:

- avoid, and when avoidance is not possible, minimize displacement by exploring alternative project designs;
- anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost[i] and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- improve, or restore, the livelihoods and standards of living of displaced persons; and
- improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure[i] at RS.

These ToR refer to the preparation of an ESIA as well as the RAP, in order to inform the assessment regarding environmental and social risks and potential impacts as well as possible mitigation options of the planned Project.

The ESIA and RAP reports shall be developed following the guidance as presented in the GCK framework documents, namely the ESMF, the high level ESIA and the Stakeholder Engagement Framework. Moreover, the GCF recommends that the exercise of environmental and social due diligence shall follow good international industry practices (GIIP) and based on established relevant guidance." Further GCF lists the following as examples:

(a) IFC Guidance Notes: Performance Standards on Environmental and Social Sustainability;
(b) World Bank Group Environmental, Health, and Safety Guidelines; and
(c) Other relevant guidance from international and country institutions pertaining to conduct of environmental and social assessments, stakeholder consultations and free, prior and informed

4 Objectives, Scope and Tasks of the Assignment

The overall objective and scope of the assignment is the development of an ESIA including an ESMP, and a RAP for the 18 ha Village upgrade, based on desk work and on a mission to Rwanda in order to work closely with FONERWA and any other relevant stakeholders, such as REMA, RHA and the City of Kigali.
The ESIA and potential RAP/LRP will be entirely based on the provisions of the ESMF, RPF and WB/IFC guidelines and any other the Applicable Standards.
All documents will be developed in line with the relevant national ESIA regulations including direct engagement with REMA as required.

Task 1: Project Description

The ESIA shall comprise a concise and comprehensive (to the extent possible) project description supported by maps, plans, graphs and charts to provide an easy and structured overview. The description shall be based on information on existing project reports and documents and illustrate the geographic layout of all key components. The level of detail of the project description shall be commensurate with potential project effects on the receiving environment. The ESIA shall contain a description of the Project Area of Influence (AoI), the footprint area and a detailed description of the Project components including associated facilities (e.g. access roads, material sourcing sites, dump sites, deposition sites for excess material) focusing on those aspects that could potentially have an impact on the physical, biological or social environment.

Task 2: Scope of work

ESIA

The ESIA team will carry out a scoping exercise and must meet current internationally accepted standards of data collection, reporting and analysis and comply with the applicable environmental and social standards. Further, it must be assessed how national and international requirements can be streamlined throughout the further ESIA process.
The Scoping exercise shall clearly outline the scope of the next iterations of the ESIA to allow a focus on the environmental and social impacts and risks based on their significance. Further it shall scope out any insignificant effects or components by providing a comprehensive rational.
The Scoping exercise will cover the physical, biological, socioeconomic and cultural environments within the proposed Project scope and identify the key issues relevant to the Project to be considered in the preliminary ESIA (to the extent possible) and to be comprehensively considered for the next iterations of the ESIA, which will be undertaken in conjunction with the masterplan development and then with the design process for the Village Upgrade Area. The preliminary impact assessment will be complemented by an overall mitigation approach, key mitigation measures and an initial Environmental and Social Management and Monitoring Plan.
During the scoping exercise the ESIA Team shall undertake initial baseline surveys, to be complemented by secondary sources and by analysis of satellite imagery as appropriate, of the physical, biological and socio-economic environment. Baseline description should be inclusive of, but not be limited to:

- Physical environment (hydrographic network, geology, ground topography, climate, air quality, fauna and flora, aquatic environment, ecological system);
- Biological environment (i.e., flora and fauna types and diversity, endangered species, sensitive habitats, ecosystem services etc.);
- Social, economic and cultural environment, including present and projected (i.e., demography, population, land use, planned development activities, infrastructure facilities/community social structures, employment and labor market, sources and distribution of income, cultural/religious sites and properties, vulnerable groups etc., infrastructure and basic social services);

RAP

The consultant will develop the RAP taking into consideration the outlined objective and
principles. The main goal of the RAP is to identify the PAPs, strategies for compensation associated with the identified resettlement impacts (temporary or permanent loss of land, housing, assets or livelihoods), lay out the process and institutional responsibilities for addressing and compensating any negative impacts to ensure that assets and livelihoods of affected persons are improved or at minimum restored to their level before project implementation.
To achieve this goal the following tasks will be completed under these TORs:

- Describe the existing Rwandan legal and policy framework for land acquisition, as well as, reviewing the laws, regulations that apply to reclaiming informally settled public land and involuntary eviction and resettlement.
- Review the World Bank policies related to resettlement in order to ensure that the RAPs/aRAPs are developed in full compliance with these policies and Resettlement Policy Framework (RPF)
- Identify the precise resettlement impacts, as well as additional social risks (if applicable) that will be associated with the implementation of the Village Upgrade
- Prepare socioeconomic inventory/census survey for the PAPs to identify and quantify different categories of different categories of PAPs who would require some form of assistance, compensation, rehabilitation or relocation.
- Prepare an entitlements matrix listing all likely effects as per relevant typologies to be developed on assets and resources.
- Conduct valuation of assets/compensations.
- Prepare standards for compensation and restoration of the social and economic base of the PAPs to replace all types of loss, as appropriate. Provide information on vulnerable groups or persons, for whom special provisions may have to be made. Describe the mechanism by which compensation and any other resettlement assistance to be provided will be estimated and consulted with PAPs. Develop complete list of affected households/persons and relevant compensations.
- Develop clear executive time plan for the RAP implementation linking the various steps to the various project components and implementation plan, including institutional responsibilities, and monitoring parameters. Develop a timetable and budget.
- Conduct public consultation with PAPs, document the various consultation activities to be

- conducted as part of the RAP and ensure that information has been shared transparently through an active and consultation process.
- Develop communication and consultation plan to be adopted by the project promoter along the various stages of the project cycle.
- Develop a monitoring plan for RAP implementation and completion (specifying roles and responsibilities of the relevant institutions)
- Identify the institutional responsibility for implementation and procedures for the grievance redress, arrangements for monitoring and implementation of the monitoring system. The consultant shall describe the options available to PAPs for grievance redress they may have about the process. The GRM channel will be communicated during the RAP consultation and be disseminated widely in the community (beyond PAPs) through the course of each sub-project.

Deliverable: draft ESIA Report and RAP

ESIA

The ESIA Team shall develop ESIA Report, comprising at minimum, but may not be limited to the following content:

- Description of the project, size and layout of the project area, as well as associated facilities to the extent already identified; including a description of the project phases and related activities (master plan, site specific design, pre-construction, construction phase and operation period);
- Outline of Project Area of Influence for the different environmental and social receptors
- Brief description of the applicable legal framework and the relevant standards; including gap analysis of national legal frameworks in relation to applicable international standards; to be taken over from the ESMF/high level ESIA
- Description of the physical and biological environment and socio-economic setting; based on available information and on field surveys; including maps and figures as appropriate; please note that social baseline information should be obtained as well from the pre-RAP team;
- Identification of the key environmental and social risks and potential impacts, i.e. aspects/areas that could potentially be impacted by the project, including identification of potentially affected local communities;
- Assessment of the key E&s risks and potential impacts; assessment should cover associated facilities and shall include potential cumulative impacts;
- Mitigation approach and mitigation measures;
- Environmental and Social Management and Monitoring Plan;
- Brief description of the alternatives to be considered in next phases of the ESIA;
- Stakeholder analysis/stakeholder mapping to identify the stakeholder groups who may be affected by and/or may have an interest in/influence on the Project, including initial consultation of local communities and statutory stakeholders for the scoping process;
- Outline of methodology and approach for community engagement to be applied during next iterations and updates of the ESIA, including national legal provisions for public information and disclosure;
- Description of the methodology, the approach and the general timeline for the next iterations of the ESIA, corresponding to the process of technical planning;
- Identification of key information needs for the next iterations of the ESIA, in order to integrate aspects such as energy demand and consumption, nature and quantity of the materials and natural resources (including water) used, etc. and information needed to establish and estimate - by type and quantity - of expected residues and emissions i.e. water, air, and quantities and types of waste produced during the construction and operation phases.

5 Timing of the assignment and estimated input

The assignment is planned to start in early September 2021 and to be completed by end December 2021 the latest. The estimated efforts to complete the assignment are about 150-190 person days.

6 Team composition and required qualifications

The qualifications for the ESIA experts are as follows:

Expert	Key qualifications	Main responsibilities within the assignment
Team Leader, International Social	• At least a Master's Degree in their relevant field of expertise;	• Mobilize surveying ESIA, Gender & RAP team • Coordinate among the team

and Environmental Specialist	• At least ten years of project-relevant professional experience in undertaking ESIA; • Experience in sustainable design is desirable • Working experience in East Africa understanding the social and cultural norms and needs of the beneficiaries; working experience in Rwanda is considered an asset • Excellent knowledge of relevant World Bank / IFC standards and codes; • Be fluent in English.	• Revise the Final Reports for quality • assurance • Reporting for the client
National Social, Environmental and Resettlement Expert	• At least a Bachelor's Degree in their relevant field of expertise; • At least seven years of project-relevant professional experience, showing an understanding of the social and cultural norms and needs of the beneficiaries • Experience in sustainable design is desirable • Excellent knowledge of relevant World Bank / IFC and national standards and codes • Tracked record of experience on involuntary resettlement like Resettlement Policy Framework (RPF) and Resettlement Action Plan (RAP). • Be fluent in English	• Prepare all survey tools in cooperation with the other team members ie Prepare and Test the surveying tools • Review the legal framework that govern the resettlement activities • Develop the Final Report and • Disseminate the results
Gender Expert	• At least a Bachelor's Degree in their relevant field of expertise; • At least seven years of project-relevant professional experience, showing an understanding of the gender-related and social and cultural norms and needs of the beneficiaries • Excellent knowledge of relevant World Bank / IFC and national standards and codes • Be fluent in English.	• Review Social baseline findings and analysis • Gender Analysis Report, including GCF compliant Gender Action Plan according to the GCF application template • Summary of the GAP for inclusion in the GCF
Stakeholder and community liaison officer and data processing	• At least a Bachelor's Degree in relevant field. • A minimum of 2 years of experience in the field of communications. • Working experience in Rwanda and expert knowledge of the Rwandan context. • Be fluent in English and Kinyarwanda	• Planning conusltation schedules • Assist socio-economic data collection • Transcription and Summarizing of the qualitative data
Team of field surveyors and quality control supervisors	• University graduates • Experience not less than 5 years in • data collection using quantitative and qualitative tools	• Participate in testing the tools • Collect data (qualitative, quantitative and observation sheets) • Supervise data collection process and monitor the quality of data. • Responsible for editing, coding, data entry and re-entry